

City Council Regular Meeting Transcript – 8/30/2018

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[10:21:13 AM]

>> Mayor Adler: All right, council, I think we can go ahead and begin this. Before we start the meeting here today, are we -- are you guys set? You know, I think that we should take just a moment just to reflect on the passing of Aretha Franklin. Just for a moment.

[Music playing]

>> Mayor Adler: All right. Thank you.

[Applause] I do want to note before we start that Austin Bergstrom airport received national leadership for safety with leadership for airports, and Jim Smith won the director of the year award nationally. So congratulations to our airport.

[Applause] These other things I'll do when we actually convene. Let's begin with invocation. Is the very reverend father basil aguzie here, holy cross catholic church?

[10:23:17 AM]

Sir, please come up. Would everyone please rise.

>> In the name of the father, son and holy spirit, amen. Unless the lord watches over the city, the watchman stays awake. Father in heaven, from whom all things come, to whom all return. We praise your Devine magesty and thank you for your benevolence on the city of Austin. Thank you, lord, for this beautiful city and all our people. Thank you for choosing these councilmembers to lead our city. Guide their actions and strengthen their resolve to be obedient to your will for all your people in this city. In the words of sing Solomon, give to these your servants wisdom to govern your people that they may discern between good an evil. Lead them to defend all human life and the rights of everyone in our city. The poor, the rich, the unborn baby, the sick, the immigrants, the refugees and all who visitors and residents of Austin. We pray for all who

[indiscernible] We pray for architects, artists, developers, our law enforcement men and women who keep us safe. We also pray for those who fight for justice and advocate for orders. We pray for our

communities and for men and women of good will. Together may we all work for the good of our city and for the glory of your name. May your world be a lamp to our feet and a lamp to our part. As the council begins its session for today and analysis, give success to the work of their hands and bless their families.

[10:25:23 AM]

We ask this through Christ our lord, amen. In the name of the father, son and holy spirit, amen. Thank you.

>> Mayor Adler: Colleagues, we're going to approach the consent. Before we do that, I just want to note for the record that Donna Hoffman, who was a citizens communication speaker number 7 will not be speaking today. On the changes and corrections, item number 25 I've been listed as a co-sponsor. Items 34, 35 and 55 have been withdrawn. Item number 65 is being postponed till October 4th of 2018. We have some items that have been pulled. Item number 13 has been pulled by councilmember Flannigan. That is associated with item number 28 with the ahfc. So we'll consider both those after we go into -- just later in the day. We'll consider those two, but we'll consider them together, first number 13. Also being pulled is item number 54 by the mayor pro tem. And items 56, 57 and 58 are being pulled, we'll take those up close to 3:00 but not before. John hockenyos will be arriving here then so we'll wait to do those items then. I did not formally call the meeting to order. Thank you. Today is August 30th, it's Thursday, it's 10:27 now.

[10:27:24 AM]

Obviously we started just a few minutes ago. We are in the city council chambers here in Austin, Texas, 301 west second street. As we look at the calendar that we have today, colleagues, it looks like we're going to be able to get through hopefully this morning fairly quickly. We'll then go into executive session on the items that have been noticed. It will also give us a chance to discuss and pulling off of consent item 24 which is nomination and waivers. I'm sorry, number 23. Also we'll go into executive session to discuss that. Also the item number 66 with the CDC bylaws. We have today at the end of the day folks that are signing up to speak on the budget. I think we have about 60 people signed up so far. We can't start that until 4:00. That will obviously go after dinner as well. It's my intent right now to call first up people who had signed up to speak last week and weren't able to speak. And it's also my intent to call up first people that have requested translation services because we've brought it in capacity for that. So we'll hear from those folks first. As we go through our schedule, if we can get stuff done so we can start that early and actually get to that, that would be great. I think that the bumps for us doing that look to be the 380 agreement, but we may have agreement on a lot of those amendments. Hopefully we can get through that and get that done. And then we have a couple of historical district issues that we can't call up again till late in the afternoon.

[10:29:29 AM]

But we're going to have to work our way through those. I think those are the hitches. The degree we can be positioned to hit those at our first opportunity, the better off we're going to be tonight. All right, that said, let's look at the consent agenda. I'm showing us pulling item number 13. Back up again. The consent agenda is items 1 through 27 and 53 through 65. 1 through 27, 53 to 65. I'm showing items being pulled as being item number 13, item number 23, item number 54, and 56, 57 and 58. In addition to that, we have two items that look like they've been pulled for speakers. Item number 12 has been pulled with two speakers, both speaking in favor of the proposition. And then we have eight people signed up to speak on item number 25. And my understanding was councilmember Renteria, you are going to be offering an amendment on item number 25? That's been handed out. It has my name in the upper right-hand corner. It's not mine, it's councilmember Renteria's. And it's to strike the last whereas clause. With that, I think that on the dais with that change I think it's going to have general support. I don't know if all eight people want to speak. You certainly don't have to, but we'll call that item up. Items number 12 and 25 have been pulled for speakers. So I have items 12, 13, 23, 25, 54, 56, 57 and 58.

[10:31:35 AM]

We have one person here to speak on the consent agenda and that would be Gus peña. Do you want to come on down?

>> Good morning, elected officials, Gus peña, proud native east austinite, proud Marine Corps veteran. Yes, sister Aretha is my favorite soul sister. I will miss her. I have all the old records, rpms. I love her, she's in heaven. But also we lost bishop John Mccarthy. My bishop. I'm a catholic. He helped a lot in the issue of race conciliation and poverty. I'm with saint ignatius catholic church. I miss you, brother, but you're our guardian angel. Thank you for all you've done for the family. John McCain, I'm a proud Democrat. John McCain, natures Navy, pow, Vietnam veteran -- United States Navy. Eight years, eight years in the stock aid. He also supported democratic issues. I met him personally in Washington, D.C. When I was with the irs department of treasury. John McCain, you're my hero. You are in heaven. You are my sister service, United States Marine Corps and Navy are together. May you rest in peace senator McCain and my bishop. Having to deal with -- let me say this. Start with 11 and 12. Am I correct? Mayor? Hello? 11 and 12? 11? Okay. 11 is having to do with treatment services or funding for treatment services, indigent citizens, eligible clients Austin community court.

[10:33:45 AM]

I will add also we would like to see more funding. I know there's another item in the agenda about housing for these individuals. And mayor, Austin apartment rents climbed to an all-time high. Three apartment complexes on Wickersham and Riverside are slated to be demolished. I brought that up and

met two people on the bus, we need help. They are going to come to city hall. Last -- another friend of mine, Kenneth Wendler, he helped a lot of people get elected. Good friend of mine, he spoke Spanish to me and I spoke to him in English. I miss you, Kay, I called him Mr. Kay, but he was an active Democrat and helped a lot of people get elected. Without any hidden agenda. I love you, my bother. What I'm saying you now on guardian angels. Senator McCain, you are my guardian angel. We toured the capitol together. I was wearing my marine Corps uniform at the time. We need help on the rent. The army command center is going to take up most of the supply.

[Buzzer sounding] We need help on affordable housing and remember, society's worth is measured by its treatment of the less fortunate. Thank you very much.

[Applause]

>> Mayor Adler: Is Victor reed here? Mr. Reed, do you want to come down and talk? You'll have three minutes, sir.

>> [Inaudible]

>> Mayor Adler: That's right.

>> How are you doing? You remember me?

>> Mayor Adler: I do.

>> Well, good. A lot of good things since last time I spoke here started happening for the city.

[10:35:52 AM]

I hope you remember when I told you that my city was going to awaken. And a fool. But with those movements, my people are still suffering in the city. You came out with a -- a report about two years ago, a year ago. It was called inequality and whatever report. Even then I told you you were probably going to put it on a desk and let it collect dust. Beautiful report. Said it was going to do a lot of great things for this city. It was probably going to bring some pride back into the Negro and to the city too. Knowing when they ride down 12th street or 191st street that they were going to see the future for their children and the future for these kids and these schools. But what have you did with it, mayor? I'm asking you a question.

>> Mayor Adler: You can't -- and I really can't exchange, but I would love to visit with you and we can go through that.

>> That's exactly what I'm here for. You haven't seen my face in about a year. Because once I spoke, my people listened. Now you got a bunch of young, real people, you even got a felon running for the city council of Austin. I told you what my god told me. And his prophecy is happening. I even got called before I even got up here. I was about to leave. The power of my god.

[10:37:59 AM]

And if y'all continue -- and this is for all y'all before you get voted out. To put things on the desk and let them collect dust when you done paid millions of dollars or whatever it was for you to write it, and you haven't took not one action. To make the real equality in this city happen. That's an embarrassment for you and for all you other people on this council. Y'all are going to give me people what you owe us. Through your music, through your [indiscernible] And all the other things that make this city great.

[Buzzer sounding] Y'all are going to make Austin the greatest city in the world. Thank you.

>> Mayor Adler: Mr. Reed, thank you very much.

[Applause] Let's see here now. I think that those were all the speakers that we had speaking on the consent agenda. That gets us back to the dais again, consent items 1 through 27 and 53 through 65. The pulled items are 12, 13, 23, 25, 54, 56, 57 and 58. Is there a motion to approve? Yes, councilmember Garza.

>> Garza: I have a quick question about [inaudible]

>> Mayor Adler: Okay. Let's pull 18.

>> Garza: I move approval of consent.

>> Mayor Adler: Councilmember Garza moves approval of consent agenda. Is there a second in mayor pro tem seconds that. Any discussion on the consent agenda? Mayor pro tem.

>> Tovo: Sorry, I also have a quick question on 16.

>> Mayor Adler: On 16? So let's pull that for a quick question.

>> Tovo: And I have some comments on 20.

>> Mayor Adler: Why don't you make them.

[10:39:59 AM]

>> Tovo: So these are allocations to create a parking and transportation district which I'm going to support, but I want to add direction to the staff. If you would please monitor any impacts that might occur to the [indiscernible] Parking lot which is in the immediate area and keep an eye on whether or not -- some concerns expressed is once the parking along those streets becomes metered, that people looking for free parking may park in deep eddy and make it challenging for people who are using that city pool. If we could just monitor the impact on that, that would be great.

>> Mayor Adler: Thank you. Any other comments on consent?

>> Flannigan: Item 21, the first parking and transportation district I've had the opportunity to vote on and there's a lot of information in exhibit a. As I was digging into it preparing to ask questions, staff

informed me that is an informational document, not part of the ordinance that we're approving today so we can avoid that debate and I just wanted to make that statement. Then on item 17, which is about office space leases for Austin public health, my frustration with it is that it cites unanticipated office needs, but later it says these were staff added through the budget process. It wasn't like magically 50 people showed up at Austin health so I'm not sure why this is being described as unanticipated. We need the space so I'm not going to oppose it.

>> Mayor Adler: Further comments on the consent agenda? Councilmember alter.

>> Alter: I wanted to also add direction on 21 which is the Colorado river area ptmd, I support mayor pro tem's comments with respect to the deep eddy parking lot. I would like for staff to make sure that they are checking in on a quartererly basis on the oversight committee with the west Austin neighborhood group to make sure that north of lake Austin this is not creating new problems for them in terms of parking in their community.

[10:42:01 AM]

Obviously I want them to check in also about where this new agreement is taking place, but I'm particularly concerned about north of lake Austin and any knock-on effects that may happen. I'm supporting it, but we need to make sure there are open lines of communication. And then I wanted to make a comment and provide some direction on item 53, which is the Shea pool contract. So I'm excited to see this move forward. I want to encourage city staff between public works and dsd and parks to continue to collaborate during the aquatic master plan discussion we provided direction to find new ways to expedite the process for site specific variances for park properties whether they are pools or otherwise. We have not received a report on how that will be moving forward. So I wanted to ask that we please get an update on that process and that it be used to the extent necessary to facilitate the implementation of this contract. As we mentioned at the time of the discussion of the master plan, you know, requiring 12-foot sidewalks when it's a park that's green space around it in order to fix the pool and stuff just is a kind of variance that doesn't make sense in that context. So I would ask that you look into that. Then I also wanted to just invite the audience with respect to number 24 which has to do with our single use bag ban. If everyone in this room and everyone watching when you go into a retailer and if they offer you a single use bag, you say no, we want you to go back or if you thank those retailers that are voluntarily complying, our retailers will have continued incentive to help us to reach our zero waste goals.

[10:44:02 AM]

If we in the community stand up and say we believe in these zero waste goals and we want you to continue to not offer single use bags, the retailers will hear you, but we need your help in continuing our opportunity to use this mechanism voluntarily to achieve our zero waste goals.

>> Mayor Adler: Thank you. And for the record, ptmd is the parking and transportation management district. Mayor pro tem.

>> Tovo: Mayor, I forgot that I have a very quick question on 22 so I'm going to need to pull that.

>> Mayor Adler: Okay.

>> Tovo: I appreciate councilmember alter's comments and agree with them and I really wanted to give big thanks to both pard and public works. I know our first rfp for this pool contract wasn't successful. They had to reissue it and they had to turn it around extremely quickly to get on today's agenda and I appreciate all their work. I know the community appreciates their work. They've been in lots of contact both with me and with the staff about the need to keep it moving forward so that it's open for the next season. So thanks very much for getting that project on track.

>> Mayor Adler: Thank you. Yes, councilmember troxclair.

>> Troxclair: I would like to be shown abstaining from sums 11 and 19.

-- Items. I have questions about the outcomes for those programs, whether or not they are reaching their intended goals. I would like to be shown voting no on item number 20. I'm unsure -- this is parking meter, installing parking meters or continuing the parking meters on Stephen F. Austin drive. I'm unsure why that -- all the revenue from those 148 meters is property of aid. I want to be shown voting no on item number 24.

[10:46:03 AM]

That's the bag ban item. I completely agree with councilmember alter's comments and I think that we should leave it up to individuals and the businesses to either shop at places that offer incentives or for individual businesses to offer incentives to their customers who don't want bags, but I just don't think we should be spending any additional taxpayer time and resources on this issue. I think the market can work this item out on its own. And that's it for now. Thanks.

>> Mayor Adler: Okay. Yes, councilmember pool.

>> Pool: And I just wanted to thank the Texas campaign for the environment for working with my office on item 24 and the zero waste advisory commission for passing the resolution that was similar to the one we are approving on consent. A big shout out to everybody who lives and works in the city of Austin. You guys make these sorts of things happen without even us having to pass any rules or regulations, so thank you so much.

>> Mayor Adler: Moved and seconded on the consent agenda, items pulled are 12, 13, 16, 18, 22, 23, 25, 54, 56, 57 and 58. It's been moved and seconded. Those in favor please raise your hand. Those opposed? Unanimous on the dais with the comments or indications otherwise made. Let's see how quickly we can blow through what we have here to see if we can save as much time as we can to be able to be running with our calendar. We have two people that are signed up to speak to item number 12. Gut peña and Stuart Hirsch. Do you want to speak to number 12?

>> Mayor, if I sign up for it, I want to speak, okay, so let's not have any more of this back and forth, okay?

[10:48:07 AM]

On item number 12 is interlocal agreement with Travis county. Travis county housing finance authority, housing authority, city of Austin. And according to the -- to the rca, it's having to do with interlocal agreement with Travis county, allow the city of Austin to contract a housing market study analysis of impediments to fair housing choice. I'm with councilmember troxclair on that. You know, it's a good thing to do the study, you know, for example, you've been in jail, incarcerated, you have a bad record, yes, there are a lot of impediments. But the biggest is what's called affordable housing ain't affordable housing. What's affordable for you, Steve, is not affordable for Gus peña. You are a multimillionaire. It is not good. Clearly define it on the rca, please. There's other people looking at this document also, but I don't know, we have to have a housing market study, but a real, true-blue market study and what affordable housing is all about. You know, this guy over here might tell you something different. He's good. He does his homework. I can't be everywhere, but the issue is this. We have three apartment complexes going to be torn down. What kind of analysis do you need to know that we're going to need more units, affordable, and please when you say affordable, define affordable, the money amount. What's affordable for somebody else is not affordable for the poor. Low socioeconomic statistic it. I'll leave it at that. I appreciate your comments, councilmember troxclair. It's good to know the meat and potatoes of the issue and we need to have good leadership to understand this and get the folks from neighborhood housing to do that. I appreciate Stuart Hirsch, listen to him.

[10:50:11 AM]

We need true-blue affordable housing. Thank you very much.

>> Mayor Adler: Mr. Hirschish.

>> Mayor, members of the council, stu from district 2. I'm glad city staff approves an agreement with an interlocal agreement with Travis county. The two local housing authorities and the Travis county housing finance corporation to perform the federally required market study. This study will be unique because it will allow for the first time elected officials and regular citizens the opportunity to understand what likely will happen in our housing market in the next five years when the following occurs. Number 1, voters decide whether to continue to allow code changes approved by the city council majority to be implemented or create a new set of regulations preventing implementation of city council majority approved code changes for several years. Decision in November. Number 2, the city council decides whether to align density bonus policy with smart housing policy and the adopted strategic housing blueprint. You passed a resolution on that early this month. Number 3, the city council decides whether to change the currently antiquated mobile home regulations into manufactured housing standards that align with the adopted strategic housing blueprint, and you passed a resolution on manufactured

housing last week. Number 4, the city council decides whether to reinstate fast-track review and inspection for smart housing with expedited review waivers and I tried to talk to you during the budget public hearing last week. And finally number 5, the city council and the Austin housing finance corporation decide whether to pursue investment in income-restricted housing development on land owned by the city of Austin, Travis county, the housing authorities, the housing finance corporations and our respective school districts. We have lots of opportunities to do this less expensively as opposed to more expensively and I hope that the market study will help guide us in that direction.

[10:52:20 AM]

Thank you very much.

>> Mayor Adler: Thank you very much. Is there a motion to approve item number 12? Councilmember troxclair makes a motion. A second? Councilmember Houston. Any discussion? Those in favor those in favor please raise your hand. Those opposed? It's unanimous on the dais. Item number 13 is tied to item number 28.

>> [Inaudible]

>> Mayor Adler: What? We can try to do the fast ones. We'll come back to 13. What about number 16? You pulled that, mayor pro tem?

>> Tovo: Yes, I did. I apologize because when we get get these purchases, the values continue to appear to be very, very low. And we either have a council resolution or have provided council direction about evaluating those, especially downtown. I know that you did an appraisal and so my question is simply can you help us understand why you can purchase any piece of downtown real estate for 6,000 -- you know, in the neighborhood of just under \$7,000 even though we are not -- I mean it's a -- obviously it's not a lot, it's not a tract, it's the ability to continue to encroach.

>> Yes, Alex Gail, interim officer for the office of real estate services. So we do have a third-party appraisal completed on all the encroachment agreements and within this encroachment agreement specifically it's just a small sliver that is actually encroaching, which is why it's just the \$6,677, so it's basically .25 feet encroaching into the right-of-ways, so approximately three feet -- I'm sorry, three inches into the right-of-way so it's a very small sliver of property. Of course, it does extend up with the side of the building and subsurface as well.

[10:54:24 AM]

But because of the small square footage of what is encroaching into the right-of-way is how it was appraised. But it's appraised with the larger parcel, what the property sits on is how the value is assigned to this encroachment agreement.

>> Tovo: I think I would like to get more information about how the appraisals are framed, but we can do that outside of this meeting. Let me just note that as a concern. I've raised it before and as I mentioned if I didn't include it in a resolution, I think I've provided direction and requests that we get more information because it seems to me if I went to a private business and asked to have, you know, to put up a sign or something like that on that section, it would probably cost me more than \$6,000. I'm really just wondering how we evaluate what the questions are that are poised -- posed to an appraiser when making that evaluation. If that's space we can never use going forward, that would seem to me to have a value beyond just under 7,000.

>> Okay.

>> Tovo: But we can -- again, we can just continue that conversation outside of here. Thank you.

>> Mayor Adler: Is there a motion --

>> Tovo: I'll move approval.

>> Mayor Adler: Mayor pro tem moves approval of this item 16. Is there a second to that?
Councilmember Casar seconds.

>> Tovo: I said reluctantly.

>> Mayor Adler: Those in favor of item 16? Those opposed? Unanimous on the dais. A quick question to number 18, councilmember Garza?

>> Garza: I do. We are making great momentum on the early childhood things, there was a budget request I'm trying to understand the difference -- there was a budget request for an fte that seems to maybe be doing similar work that 18 is doing. I'm trying to understand the difference.

[10:56:36 AM]

>> Hi, mayor and council, Donna Sunstrom, assistant director with Austin public health. And so the fellow with this opportunity through national league of cities and the Sorenson impact would be focused on developing a coordinated enrollment system to really support families with infants and toddlers and trying to -- for them not only locating child care, about out also finding high-quality child care and looking at a coordinated system, enrollment system between aid, early head start and workforce solutions. So hopefully we can move the children and families off waiting lists and then free up open spaces to get them into pre-k and then to free up spaces for our younger infants and toddlers.

>> Garza: And can you -- do you know the [inaudible] I'm referring to that the early childhood group has asked for in the budget? Is there a difference?

>> There is a difference in a sense this will be dedicated and it's only for two years for the fellow. And pretty much dedicated to the prenatal to 3 work. There's a lot of other early childhood work that needs to be done and dist out there and a lot of that is highlighted from recommendations from the resolution that was earlier in the year. And so -- but this fellow would be focused on that, and then the fte position

would be focused on a lot of the other recommendations coming out of the resolution to support the early childhood efforts in the community.

>> Garza: Okay. Thank you. I move approval of 18, mayor.

>> Mayor Adler: It's been moved to approve 18. Seconded by councilmember a littler. Any discussion?

-- Alter. I'm sorry, councilmember alter.

>> Alter: I wanted to make a quick comment to congratulate Austin public health for securing this grant from the children's initiative. I'm really excited to see this coordination move forward as we continue our efforts to better serve our children at these early stages.

[10:58:49 AM]

>> Mayor Adler: Okay. Moved and seconded. Those in favor, please raise your hands. Those opposed and it's unanimous on the dais, number 18 passes. That gets us to item number 22. Mayor pro tem, did you pull this one?

>> Tovo: I did. I just want to ask a quick question of staff. This is unusual that we would be decreasing the length of a school zone. As I understand from the backup, though, it was a longer school zone section than we typically have, and that there were some tree issues that were preventing it. And that you believe it might actually be safer to have a shorter one because it will call more people's attention to it. So I just wanted you to verify that's the case, and if you could tell me whether you did outreach to the neighbors. I saw that Travis heights elementary is in favor, you reached out to the school and they support the change. I wasn't sure if you had reached out to the neighbors of the neighborhood association in that area to give them a heads-up.

>> Right. Robber spillar, director of transportation. I'll speak to the safety of the school zone length, and then there will be a comment on outreach. Yes. School Zones typically are most effective when they're absolutely as targeted as possible in terms of the area where we want people to slow down. This particular one is unique. There is a historic tree, or a heritage tree that has continued to grow and is blocking some of the visibility. By moving the flashers, thereby shortening this just a little bit as opposed to lengthening it, we'll actually improve the safety in terms of visibility on this facility. But, yes, if you look around, the policy that the Austin transportation department has used for many years is to certainly be as Progressive as we can with school Zones, but to make them targeted to the area of where we absolutely need people to slow down. If there's two arterials, you'll see two different Zones on each one, on each arterial as they approach the critical area where kids might be crossing.

[11:00:59 AM]

So that's the critical thing. Eric, can you comment on the second question mayor pro tem had?

>> Sure, Austin transportation department. We did work with the school administration. Typically concerns or questions about school Zones or just general traffic safety concerns near schools go through the administration, and also the cac, campus council. We did not do explicit outreach to individual citizens, but we did work with the administration, we worked with the cac.

>> Tovo: I have some concerns that you didn't reach out to the neighborhood association in that area. They're very active. They support that school very closely. And, you know, they're the ones who are driving, number one, sending their kids to that school, but also driving through that neighborhood. And so that concerns me a bit that you didn't have that conversation.

>> Mayor pro tem, we can certainly reach out to the community and do some education about that. With the citizens advisory committee, the safety campus advisory committee, that does involve parents from the surrounding neighborhood.

>> Tovo: Sure.

>> There has been involvement. That's typical that we take our lead from the local school administration as to their safety needs, but we're happy to reach out to the community and do some additional education in advance of moving the beacon.

>> I would appreciate that. I understand the cacs have representation from the neighborhood association, but I -- if I had noted this earlier, I would have reached out myself to make sure they were aware of it. I think that should be regular practice that we reach out to the neighborhood and get that word out, and the association can -- in areas that have them -- can be really helpful. Thank you.

>> Sure. Thank you.

>> Tovo: I'll move approval.

>> Mayor Adler: It's been moved approval of item number 22, councilmember Houston seconds that, any discussion? Those in favor raise your hand. It's unanimous on the dais, number 22 passes. All right. Item number 23 is being pulled, we'll discuss that in executive session.

[11:03:07 AM]

Item number 25, let's see if there's something that would be quick. Is 54 quick? Okay. Mayor pro tem, item 54?

>> Tovo: Yes. So I requested postponement last week so that I would have an opportunity -- let me back up. This is the proposal to put a chiller on top of the convention center. When it first arose, I wondered about it because we're having conversations about the convention center. We had asked UT's institute to do some work thinking about convention center expansion from a variety of perspectives, to evaluate a no-build analysis, a redesign, an expansion, a different configuration. And so the timing of this seemed a little strange. I know my staff have talked a lot with ae. And I requested the postponement last week so that I would have an opportunity to sit down with the UT team, which I did. It doesn't completely -- that did not alleviate my concerns. Talking with them about, at a very global level, the various things

they're considering makes me concerning that what we're authorizing today may foreclose some of those opportunities. Again, my staff have gone back and forth with ae staff and as I understand, this chiller will be in design for a while. And that chiller can be removed at a relatively low cost and installed somewhere else. But if somebody from ae would just come up and assure us that if this in any way impedes further opportunities for the convention center, were it to be redesigned, that number one we'll have an opportunity to sound that alarm during the design process, and number two if it's already installed that it could be re-installed elsewhere.

>> Good morning, my name is Jim Collins, serving as director for Austin energy's chilled water program.

[11:05:12 AM]

The capacity addition that we're proposing for the roof of the convention center is -- and we chose the design build methodology because it would bring us this capacity a little faster. We chose this modular packaged approach that you mentioned because it's, again, faster to deliver. It requires less time on-site, so it's minimal disruption to convention center activities and operations. And it's also more flexible and portable, which we hope addresses any concerns from this council. I want to make the analogy that this is like manufactured housing compared to a stick build home, right? This is not our standard approach to a central chiller plant built on-site. These are modular units. They will show up on site in nine discrete packages. Each package is a self-contained package. The design team, the design build team shared with us that it would take about a week to raise these nine packages. And each package, by the way, the overall footprint is 45 X 71, 45 feet long and varies widths. The design build team informed us it would take about a week of effort to pick these nine packages up, set them in place on the roof, and connect them. They assure us that on the back side, to remove them, it's the same amount of effort. It would be about one week to disassemble and put them on a trailer, and move them somewhere else. So from my perspective, we normally try to stay two or three years ahead of our customer load growth. And the projected load, to ensure that we have adequate supply and reserves.

[11:07:13 AM]

And so these are long sales cycles. These sales cycles take a couple of years. And we've just had unprecedented uptick in our services. The plant that you authorized this spring in April, we call it plant three, is a 10,000-ton plant. This building is about a 313-ton load. So you authorized us to construct a 10,000-ton plant we hope to be online for the summer of 2020. We're not talking about putting new customers online until we know we have the capacity to serve them. And these folks that want to be served, want to be served after the summer of 2020. So back to your question and to your point, this can be removed. When we see the 12 potential customers that we have out there and we're currently talking with three of them, we think there will be a conversation soon, and planning toward another larger plant that then could be a house for these units to go to.

>> Tovo: Okay. Thank you. After going back and forth and getting the information, I'm convinced of the need. It's really the location that I'm a bit concerned about. So you've talked about the ease of putting -- of installing and removing. And I understand that cost of installation to be about \$50,000.

>> That's what we're told.

>> Tovo: If they needed to be removed so that the convention center would have options of expanding up or something with the existing structure, you could do that with an investment of about 50,000 to remove it and 50,000 to install it, or 50,000 to remove and install in the new location?

>> 50,000 to disassemble the packages and remove them.

>> Tovo: To re-install --

>> Would be additional cost.

[11:09:14 AM]

>> Tovo: In the range of 50,000.

>> It's reasonable to expect that, yes.

>> Tovo: And the design is not specific to this structure, so it could be re-installed somewhere else.

>> True.

>> Tovo: Okay. Mayor, with that in mind, I'm happy to move approval of this item with the direction that if -- you know, as you're in design, if it appears that our options for the convention center make this not a good fit, we will regroup.

>> Okay. I'd like to offer that when a decision is made relative to the convention center, it's our belief, in talking with convention center staff, there's probably about a five-year period of outreach, community input, acquiring property. If that were the case, etc. So we feel like we'll have a home here for a few years. But, yes, we have those options.

>> Tovo: I think that's true. What I don't want to happen is that if and when that conversation comes to us to talk about what's possible at the convention center site, if it sounds like working with the current structure is a viable and best option, I don't want to then be pushed into acquiring extra property and expanding out because we have a chiller on top of the building. Thanks very much. Mayor, I'll move approval.

>> Mayor Adler: Mayor pro tem moves passage of item number 54 with that direction. Councilmember pool seconds that. Councilmember troxclair?

>> Troxclair: I just wanted to make a comment that consistent with my policy stand on this, on chillers in general, I'm voting against this. The people who use the service don't pay for the full cost. Other users subsidize it. I'm going to vote no on this item.

>> Mayor Adler: Those in favor of item 54, please raise your hand. Those opposed? Councilmember troxclair votes no, the others voting aye. This matter passes. Let's take up item number 13, which is related to item number 28.

[11:11:18 AM]

And I call them -- we can't -- two separate meetings. Let's take up item number 13. We'll do that one first. Mr. Flannigan, do you want to speak to that?

>> Flannigan: Yes, thank you, mayor. My question on this really relates to that it appears that nhcde contracting with Clarksville without any rfp process or outside analysis of them as the vendor. It's not a commentary on them, but more broadly as a policy when we have, you know, existing publicly owned land, which is my understanding that this is, what is the process we are going to use when we are exploring who will be building affordable housing on-site?

>> Sure, Mandy Demayo, community development department. This is a small parcel of land in Clarksville, the Clarksville neighborhood in west Austin. It is part of the Clarksville CDC, community development corporation service area. We have a handful of very small CDCs, including Clarksville, blackland, Guadeloupe, chestnut neighborhood revitalization, who are active in creating affordable housing in their communities. And it's something we like to support where we can. This is a parcel that came to our attention via the Clarksville CDC. We've been in discussion with them for several years about how to get that property transferred. We're been working with the neighborhood Austin housing finance corporation, getting the first right of refusal, provided the property is suitable for affordable housing. We determined it was suitable. We had a local community development corporation that had the capacity and the experience, a proven track record in developing, owning, and managing affordable housing.

[11:13:24 AM]

They've been around for 40 years. They currently have, I believe, ten rental units that are rented to folks at or below 50% median family income. And they are also in a position to be certified as a community housing development organization, which is a special designation that enables them to tap into federal home funds. So we like to support those organizations where we can.

>> You said that the CDC identified this property, but it's owned by the city.

>> It is owned by the city. It came to our attention through the conversations with the CDC.

>> Flannigan: Okay. So I think it doesn't matter who brought it to the attention, because it's public land.

>> That is correct.

>> Flannigan: If they had purchased the land, this would be a completely different conversation. Did you say the CDC over 40 years has built ten units?

>> That is correct. They have built, owned, and managed. They do other things rather than just affordable housing. It's a corporation that has very specific goals and a mission within the Clarksville community.

>> Flannigan: And who determined the service area of the CDC?

>> By their bylaws.

>> Flannigan: The CDC itself determines their own service area.

>> That is correct. It's nothing that we approved.

>> Flannigan: Another concern is what I'm hearing from staff is the reason why you're working with Clarksville CDC is because it's in their service area. We didn't decide this was their service area, they did. So it's publicly owned land. That's why this conversation is relevant to me as opposed to it being their land and they want to work with nhc to get a tax credit or housing money. That would be a different conversation. But broadly -- I'm not intending to oppose this item. It needs to move forward. But as we move forward, as a policy matter, I think we need to maximize -- my read of it is we need to be maximizing the amount of affordable housing units we get.

[11:15:25 AM]

And organizations that have multiple missions -- and if the priority to the Clarksville CDC's mission is ten units over 40 years I'm not sure that's in as equal alignment to the city's mission as it comes to affordable housing. So I think rfps are more appropriate so we can make sure that we're maximizing the value of this public land, as we have spoken about on this dais pretty frequently recently.

>> One thing, this will continue to be publicly owned land. The corporation will maintain ownership of the land and lease it to the community development corporation, thereby securing the long-term affordability.

>> Flannigan: Yeah. I'm not suggesting we would change that as a model.

>> Sure.

>> Flannigan: But we own land, we're going to contract with a third party, and we should figure out what third parties are willing to bring to the table. If another third party had funds in reserve that they wanted to put into this project -- it's my understanding Clarksville is looking for a subsidized loan. There may be another developer to build equal or more affordable housing because they have a big donor. That's why I think the rfp process is important.

>> This is a very small parcel. It's actually less than 3500 square feet. But we will be working with Clarksville CDC, they are working with another nonprofit that does mission-driven design and development. We're going to be working with them to see if there is a possibility to do additional units

on the site. Right now our ballpark estimate is suitable for single family, but if there is a possibility, we will maximize the number of affordable units we can get.

>> Is size of the land part of your department's policy around how you engage a project? You said it a couple of times.

>> The size of the land would determine if there were 40 acres, I would certainly say this is a valuable parcel of land, high profile, and we need to have a public process.

[11:17:28 AM]

>> Flannigan: What I'm asking is practice versus policy. Is this a practice of the department but not a formalized policy?

>> You got it.

>> Flannigan: Thank you.

>> Mayor Adler: Mayor pro tem.

>> Tovo: Mayor, I'd like to move approval of this and make a few comments.

>> Mayor Adler: Okay. It's been moved approval, councilmember pool seconds. Mayor pro tem.

>> Tovo: I just want to refer my colleagues to the Clarksville community development site so you can get a sense of the work that they've been doing over the last 40 years. This is a success story. And, you know, focusing on ten units over 40 years makes it sound as if the work that they're doing hasn't been really successful. They are the only program of their kind operating west of I-35. And they are one of the only affordable housing programs in the nation operating in what has become, over the decades, a very affluent neighborhood. So the fact that they have been able to continue to operate and create new affordable housing in a real estate climate that has gotten very, very challenging is really a success. I had an opportunity a few years ago to go to their la flat that they constructed with the same community partner, and it's beautiful. They do, as you mentioned, other kinds of community events to make sure that -- to build community within Clarksville and to welcome, you know, interactions across the neighborhood. And so, you know, I appreciate their work. I think this is appropriate. And I'm really happy to see this work go on just by way of another piece of information, the mayor and I are serving on the anti-displacement team alongside some of our housing staff. And as we went to that conference last spring, one of the things that came up again and again in different presentations, as a very valuable, proven anti-displacement strategy are community development corporations and the good work that they're doing in other places. We're lucky to have strong ones here and I hope that we will continue to support our existing, but also encourage other neighborhoods to consider that as a tool, too.

[11:19:36 AM]

When I look at blackland and the way that they have been able to build their portfolio, part of that has happened with relationships neighbors built with other neighbors who have donated property that can become part of the CDC. That kind of grassroots level, local affordable housing strategy is in my mind really an effective one for Austin. I hope we can continue to support those.

>> Mayor.

>> Mayor Adler: My sense is that what councilmember Flannigan was asking for was not the suggestion that this wasn't absolutely the right person to do this, but maybe within the department there needs to be a paragraph written down that says, in these situations we're going to be working with local community development consciou conscious -- corporations and then other people recognize this is the situation where they're not going to be competing, but to do that so that there's some kind of recognized policy or circumstance, or situation to the degree that that's available, or possible. And I think that was just the question that he was asking. Councilmember Renteria.

>> Renteria: I've worked with the corporation for over 40 years. I was on the CDC in 1980. And I really agree that they do excellent work. You know, it's more of a preservation of that neighborhood than it is anything else, you know. This was one of the first blackland grants that was given. And it slowly has been sold off. And we need to preserve as much as we can. And I really applaud y'all for finding solutions to affordable units.

>> Mayor Adler: I think we're all in agreement on this. Can we move on? We have something we're going to trying to get to with eight speakers before we get to 12:00 P.M.

[11:21:40 AM]

Councilmember Casar.

>> Casar: Just quickly, though, since this is zoned as f3 under 5750 square feet my understanding is current city zoning would ban having a second unit here. I would really encourage and appreciate getting more than one unit out of this if it's possible. And so I think we would probably need to rezone this to some category in order to get two or three units, because I think everybody would like to get as much affordability in this neighborhood as possible. So regardless of the other important discussion that's happened, I think that hopefully they can design it so we can get more than just one, because I think in most big cities, you can get more than one unit out of 3,000.

>> And we'll be working with both the CDC and their architects, Austin community design and development center, to see the possibility of maximizing the number of units on that site.

>> Mayor Adler: Okay. Councilmember Flannigan.

>> Flannigan: So I have found myself often in this position where I'm asking questions about process and how things move forward in the future. And we end up in a debate about some particular organization's good work. It's not about that. I started my comment saying it wasn't about that. This is a question of as we move forward and start exploring our publicly owned lands, are we maximizing the value of the work we're doing. It's not a good practice to select sole source contractors. It's not about whether or not

they're good, bad, politically connected, any of that. We've had a lot of purchasing decisions come before the council. We've had this debate over and over and over again, and this one is a little different because it relates to land. That makes it even more important. It's part of our top strategic outcomes. I know the Clarksville folks -- I hope they're listening to me when I say for the fourth time it's not about their good work. This is about the process around which we build affordable housing on publicly owned land.

>> Mayor Adler: We're all in agreement, can we move forward? Mayor pro tem.

>> Tovo: One more thing, Clarksville identified two parcels within the Clarksville area.

[11:23:43 AM]

This is one, the other is the health clinic. I know there are conversations going on about the health clinic property, and what -- and so I just want to note that, that that would be -- that's another conversation that I support having.

>> Mayor Adler: Okay. Let's take a vote now on this item number 13. Those in favor? We had a motion and a second. Those in favor, please raise your hand. Those opposed, councilmember troxclair votes no, the others voting aye, it passes. Let's recess the meeting at 11:24 and let's go ahead and convene the meeting of the Austin housing and finance corporation.

[see separate transcript for Austin Housing Finance Corporation]

And I am going to reconvene from recess the Austin city council meeting still at 11:25. That takes care of those two items. Let's now hit item number 25. Item number 25, Mr. Renteria, that's your item. Do you want to move passage of item number 25?

>> Renteria: Yes, mayor. I want to move passage.

[11:25:46 AM]

And also amend my resolution with an amendment that I passed out where it's going to delete whereas the expanded Latino quality of life resource advisory commission and other community groups have recommended city of Austin cancel all contracts with organizations involved in the separation of families, I believe that we have it written up where we can direct the manager to go out there and accomplish the same thing.

>> Mayor Adler: Okay. Councilmember Renteria moves item number 25 with the last whereas clause also being deleted. Is there a second to that motion? Councilmember Houston seconds that. We have some people in the public that have signed up to speak, and I want to give them the opportunity to do that if that's something that they want to do. Is Steven Lewis here? Would you like to speak? Okay. Thank you. Marcelo tefoya, do you want to speak? I'm sorry?

[Off mic]

>> Mayor Adler: Got it. Alexia Rodriguez. No? What about Valerie Joiner?

>> I'm here.

[Off mic]

>> Mayor Adler: Okay. Ms. Joiner indicates her support, as did Marcelo Tefoya. Frank Ortega. Passing. Patty Quincy? Passing. Amelia? Passing. Peggy Morton? Passing as well. Suma Franco? Not here. Those are all the speakers we have. We have a motion and a second. Any discussion? Those in favor of this resolution, please raise your hand. Councilmember Troxclair voting no, the others voting aye, item number 25 passes.

[11:27:52 AM]

All right. So I'm now looking at our agenda, and I think that the only items that we can take up now that are available to us are item number 23, which we're holding, items number 56, 57, and 58, which we're going to take up no earlier than 3:00. Everything else is set to come up after 2:00 P.M. So it is 11:28 right now. We have citizens communication at 12:00 P.M. So what I would suggest is we recess the city council meeting and go into executive session. Let's see what we can handle in the next half an hour. We're going to go into closed session to take up six items. We're going to take up some personnel matters related to items 30, 31, 32, and 33, compensation and benefits for the city manager, city clerk, city auditor, municipal court clerk and also pursuant to the government code, we're going to discuss legal matters related to item number 23, appointments and waivers, and item number 66, which concerns the community development commission. Without objection, it is 11:28 and we will now go into executive session. Back out at 12:00 P.M. For citizens communication.

[12:10:56 PM]

[Executive session]

>> Tovo: welcome back, I'm Mayor pro tem Kathie Tovo and we are out of closed session. We discussed personnel matters related to items 30, 31, 32, 33, and legal matters related to items 23 and 66.

[12:13:04 PM]

We'll now go to citizens communications. Our first speaker for today is Joanne Molinyawe and she will be followed by Jerry Janerubenstein --

>> Hello, my name is Joanne molinyawe, I'm a volunteer at the Austin animal center. Today I'm speaking for myself and sherry who lives in district 5. We want to provide an update made to the Austin and finance committee and city council. Since may a group of shelter volunteers and our supporters have been involved in an effort to improve management volunteer relations by focusing on program improvements that would improve the quality of life for adopted pets. As a result of our June 26 meeting with Sara Hensley and our August 22 meeting with April Moore and Sarah, we reached agreement to make follow-up phone calls to adopters which would be approved by the adopters during the adoption process. These phone calls would check in with adopters to see how the first few days have been with their new pet. These conversations will foster positive relationships between shelter and adopters which may encourage repeat adoptions and referrals to their friends. The phone calls would reduce the amount of animals being surrendered by providing help with a voucher or food for the pet if the adopter happens to need it. Another discussion on our June 26 meeting came about when Sara Hensley brought up the idea of a volunteer liaison. Our group liked the idea and

[indiscernible] Has agreed to fill that role pending approval of all parties involved so the program works successfully. We are piloting the idea and hope to have more discussion at our September 4 meeting. The creation of a volunteer liaison will have real benefits for management and volunteer relations as we will be working together to make improvements to animal center programs so they're not geared toward live outcomes.

[12:15:07 PM]

We ask your support as we move forward with the creation of a volunteer liaison and program for volunteers to make follow-up phone calls to adopters. Thank you for your time today.

>> Tovo: Thank you for that update. Jane Rubenstein.

>> Tovo: Thank you.

>> As you heard my name is Jane Rubenstein, I'm a volunteer for the animal center and I live in district 9. Today I'd like to talk about the value of out of kennel enrichment for the dogs at the animal center, which includes dog walking. Our asks are twofold, we support the contract paid dog walkers and continue with the ultimate goal that every dog gets out of its kennel at least one time per day. I'd like to thank on behalf of all the volunteers acm Sara Hensley for her ongoing support for these efforts. I'd also like to request a performance metric be created and put 234 place for percentage of dogs given out of kennel enrichment, meshing the dog's quality of life and stand alongside the live outcomes metrics. The situation as it stands as you will hear a little more about later is that 30 to 100 dogs per day will not leave their kennels, oftentimes leaving dogs in kennels up to 48 hours without a break or any human interaction. What is out of kennel enrichment, potty, breaks, dog walk, play groups, crucial to the socialization of the dogs. It also provides valuable notes for potential adopters about the dog's behavior. Off campus events, which volunteers can take dogs, play dates, as well as overnights. Why is out of kennel enrichment important? It increasings adoptability by preventing dogs' behavior from deteriorating, which I can see since we've gone from three days of play group to seven days the behavior is so much better.

[12:17:16 PM]

Insider the kennel they're not at jumpy, as stressed, get time to go outside and also socialization. It also reduces boredom and frustration. Again, it helps socialize the dogs and allows for positive human interaction, approves their appears for adopters which walking by kennels and provides daily exercise, ultimately improve their overall quality of life. Lastly, it proves an opportunity for staff and volunteers to write notes upon the dogs, which helps reduce the rates of strays and owner surrenders because they're more familiar with what the dog's behavior is as well as the fact that they talk with the behavior teams or the customer service and understand that, yes, this dog is very stressed out now but it will decompress and if you have any questions like Joanna said, the program they're implementing that way will really help. With contract dog walkers and daily out of kennel enrichment and additional metrics put in place, ultimately more dogs will be adopted. Thank you for your time.

>> Tovo: Thank you very much. Next up, Kathy muelker. Is Kathy muelker present? I don't see her. Ass, and then Michael Fuchs, and then Cynthia Valadez. Welcome, Ms. Schwartz.

>> Hi. Thanks for the picture. Okay. You can put it up now. Thank you. Hello. My name is Andre yeah and I've been actively volunteering for seven years with the large dogs at Austin animal center. I volunteer four to five times a week regularly. To start on a positive note, I'd like to acknowledge that Austin is doing a great job when it comes to saving shelter animals' lives. That's something we should all be really proud of.

[12:19:17 PM]

However, when it comes to providing quality of life for the large dogs at the shelter, Austin is falling very short. At any given time, we have approximately 200 large dogs available to take out. Many of these dogs stay at the shelter a very long time. In fact we currently have 27 dogs who have been at the shelter over 100 days and one of our current longest stays is Bobby, who is right there, and Bobby has spent 225 days at the shelter. He's a doll. You should go meet him. In order to stay happy and healthy, our dogs need daily breaks from their kennels, particularly the longest day dogs like Bobby. Unfortunately, though, the reality is that large numbers of dogs don't even get one break a day. So many of our dogs aren't house trained, including Bobby here, one of our most house trained. Because of their house training they really hate to soil their kennels, they'll hold it as long as possible. For a house trained dog like Bobby, it's simply inhumane to make them hold it that long without one potty break a day. We also have all right of high energy dogs who need exercise daily to stay sane. I've seen too many high energy dogs deteriorate due to the stress of confinement. It's simply inhumane they don't get out every day. Seeing these inhumane conditions takes a toll on many of us volunteers and most volunteers burn out and quit. Volunteer attention is extremely low at the shelter. If we can improve conditions for these dogs, we can start to improve our volunteer program. In short, Austin needs to do a much better job of taking care of its large shelter dogs. In order to do so we need paid dog walkers so every dog gets at

least one kennel break a day and volunteers would like to thank assistant city manager Sara Hensley for putting contract dog walkers in the proposed 2019 budget.

[12:21:22 PM]

These dog walkers would make an enormous positive difference for our dogs here in Austin, and please stand up for quality of life by supporting this proposed dog walking program. Thank you so much for your time.

>> Tovo: Thank you very much. Michael Fuchs. Welcome.

>> Hi. My name is Michael Fuchs. I'm a resident of Austin. On July 30, I was involved in an incident where my vehicle was hit by a scooter that ran. I have determined that the scooter problem and the scooter issue is a issue that our city faces in Austin. The industry hasn't been really compliant within the regulations that the city council Austin passed. Upon after being hit, I have contacted lime bike and the scooter company in order to determine who is responsible for the damages I incurred on my vehicle. It has come to lime bike's decision that they are not responsible for any third-party damages that occur in the city of Austin. That means that they have no liability for any of the services they are -- they currently operate in the city of Austin. This means if you are a resident or person in the city of Austin and a lime bike does hit you and run, you will be held accountable for the damages that they incur on your vehicle. I don't think it should be the responsibility of the people of Austin to incur these damages. But the companies that operate in the city of Austin. So I am asking the city of Austin to pass a motion to determine I guess the liability of these companies that they should have liability when they are operating or their third parties are in the city of Austin. I still don't understand it today of why there's not somebody that's being held responsible for accountable for damages that these companies do incur.

[12:23:27 PM]

I have talked to birds. They still have the exact same response that they're not liable for damages that incur in the city of Austin. It also has come to my attention that these scooters or the people that operate them do not obey the laws or the rules, the regulations of the road of Austin, and I have yet to see any enforcement done or regulations for parking or enforcement of this. I'd like, you know, the city of Austin and the police force to take responsibility and start enforcing our vehicle codes that we do have on the roads of the city of Austin and that we can't just let people drive the wrong way in the bike line. Somebody is going to get hurt, somebody is going to get killed eventually and I'd rather, you know, the city council deal with it now before we have to deal with something, a death, and something of a greater importance that I think the city council should look to and should, you know, have solutions in place to deal with this because this is what's happening now, something we didn't think about when we implemented it but it's something that we can do something about now and hopefully the city does something about it before, you know, something worse happens. Thank you for your time.

>> Tovo: Thank you very much. Appreciate your commentary. Cynthia Valadez. I don't see her today. Maybe she'll join us in a bit. As the mayor noted Ms. Hoffman is not with us today. Kelsea Barlow is our next speaker and then kelsea will be followed by Angela Gettis.

>> My name is kelsea Barlow, and I live in district 5. The number of dogs and cats coming into our Austin shelter will continue to increase until we start focusing on spay and neuter. Volunteers and rescues give so much yet our city shelter not focused on spay and neuter.

[12:25:29 PM]

We've been focused on life outcomes and we're not paying attention to the quality of life, which should be a vital part of our program. We are adopting pets to known negligeters who left his dog in a hot car and received a citation, then we adopted another dog out to him during the summer heat. Texas law says standards must be related to the prevention of cruelty to dogs and cats. Dogs and cats are multiplying as strays in our streets which is neither preventing cruelty nor is it responsible management. We are continuing to adopt out and return to owner dogs and cats who aren't spayed and neutered. Until we focus on spay and neuter pet overpopulation will continue to result in overcrowded shelters. We still have strays roaming our streets. Between 2016 and 2017 the number we returned increased by 142% to their owners. Texas law states the releasing agency may not release a dog or cat for adoption unless the animal has been sheltered or to a new owner who signs an agreement to have the owner sterilized. We'd like to know who is following up on this agreement due to concerns there are people who come in to adopt intact animals to make money off breeding them. Spay and neutering is good for the community because it cuts down on overpopulation of strays. Strays prey on wildlife, smaller pets, can cause car accidents and even harm humans. We ask you today to please add the following performance measures. The number of impounded animals returned to owners intact, the number of animals adopted intact and number of animals transferred to partners intact. Thank you.

>> Tovo: Thank you very much. Angela Gettis. And then our last speaker for today will be Michael Fossum.

>> Good afternoon.

[12:27:29 PM]

Hi, my name is Angela Gettis. I'm the founder of the Ruth program, and the Ruth program is the first in the nation to help single women without children on low-income that need help but can't find it. And what we do is partner them with elderly widows that live alone and they need a non-medical home helper but cannot afford one. The average cost of a non-medical home helper is 250 to \$300 a day. If they do not have the proper insurance nor funding they're usually left to the whims of their neighbors, churches or whomever can be available as a lot of the women I come across they don't have family members near them that can be of support. So we get a lot of phone calls from families, from single

women who are out here. If you have children and you're single, you do get a great deal of support. But for those who are single and no longer either raising their children anymore, they're kind of like the gap in our community. So I take these two people groups and I give them both a hand up together instead of a handout apart. We are primarily a donation only. We only charge one fee, and that's when they come to our office at the apacon home health building in round Rock. We do all the vetting, background checks, interviews, and that is the only fee that is charged. After that, it is a donation base, so it does take a village, literally, to help us thrive and be able to move forward, and that's why I'm here, because I know as a community at large knowing that a program like this exists for the women in their life that are in need and I'm sure we all can possibly think of someone we know that can fall into a category that has a need, they've either been out here making decisions Bau they don't know where to go and that is why the Ruth program is here. I'll leave our brochures, our location, and information right here for you guys so if anyone is interested and anyone wants to find us, we're at the apacon home health building and can be found on Facebook under Ruth program home helper, and thank you for your time.

[12:29:40 PM]

[Applause]

>> Tovo: Thank you so very much. Michael Fossum.

>> My name is Michael Fossum. I live in south Austin. So it's the Austin equity office staffed by racists with tax dollars be better spent on something else? The statesman wrote an article in August that an outside firm is investigating the office for complaints of bias against Latinas. The equity office recommended city consider changing the name of Austin to something else because of connections to slavery. In south Austin we'd say this is eye iron Cal or waste of taxpayer dollars. The city passed a resolution mandating removal of monuments, also passed strategic direction 2023, which states we should honor and preserve historical, ethnic heritage. The number of historic or cultural facilities preserved that reflect Austin's diverse history so does a complete purge of anything with connection to the confederacy fulfill this priority? I'd say no. History gives us perspective and can complex and we need reminders of our past. Those who do not remember the past are condemned to repeat it let's look at an example. General Sherman was in the civil war, his victory over confederate forces helped Lincoln win re-election in 1848. So general Sherman is a hero who helped end slavery and restore the union so let's put a statue to him right now. He was also a commander in the U.S. Forces after civil war and prosecuted Indian wars for 15 years. He helped slavery but fought against the Indians?

[12:31:41 PM]

Should we tear down existing statues? Who or what goes next? How many monuments do we remove from history? Let's start with Pennsylvania, uc Berkeley, Houston, and Lubbock, all with ties to slavery or confederacy. How about alternatives. Close the equity office, use tax dollars to fight morn day slavery occurring in Austin right now, human trafficking. Human trafficking is sexual exploitation or forced labor,

including children trafficked across our backward, second largest criminal industry in the world. During a race history, number 2, use it to spark citywide discussion, pick two items for the monuments report, have community meetings for proposed name changes or removals like trail projects, expert citizens publish articles on the city website and paper and use city council election put two items on the balance lot, let the voters approve or reject those changes. Thank you.

[Applause]

>> Tovo: Okay. Thank you. That is our last speaker for today, unless Cynthia Valadez is here. I don't see her still. And Kathy muelker. Okay. So that concludes citizens communications and we'll stand in recess until 1:30.

>> Kitchen: Councilmember -- mayor pro tem, 1:30? I thought we couldn't take up anything until 2:00.

>> Tovo: I believe when we come back, thanks for that question, we still have the c2c matter we discussed in executive session that we can take up. So --

>> Casar: I don't know if that will take us --

>> Kitchen: I don't know if that will take us half an hour.

>> Tovo: Mayor suggested we come back at 1:30 so I'm trying to move forward his plan.

>> Kitchen: Okay.

>> Tovo: We may have -- I think we need clarity on whether we have any more executive session brothers we recess.

[12:33:47 PM]

Sessions before we recess. So the mayor's script suggests just 23, approval of appointments, and 66, community development commission. If we have no other questions about those items, I don't see that we need to go back to executive session, unless anybody wants to. No? Okay. So we stand in recess until 1:30.

[1:50:34 PM]

>> Mayor Adler: All right. Are we about ready to pick this back up? I think we're missing Alison. And Pio. Hopefully they will come back. So we're going to reconvene this meeting. It is 1:50. It's still August 30th. Let's pick up item number 23. Item 23 are boards and commission nominations and waivers. Is there a motion? I'll entertain a motion at this point to approve -- there are two more that have been added in backup. So in addition to Claudia Massey for the macc board and Tracy witty for the planning joint committee, two others have been proposed in late backup. Fred Mcgee for the community development commission, nominated by the montopolis neighborhood association, and the community

development commission also, Julia woods, nominated by the Dawson neighborhood association. Is there a -- there's been a request to divide the question so we're going to do that. Is there a motion to approve Claude 82 Massey, Tracy witty and Julia woods? Councilmember pool makes that motion. Is there a second to that motion? Councilmember Flannigan seconds that. Any discussion? Those in favor please raise your hands. It's everyone on the dais with the exception of councilmembers alter and Renteria, who are off the dais. That gets us to Mr. Mcgee, Fred Mcgee.

[1:52:37 PM]

Is there a motion? Is there a motion on the second one? Councilmember pool makes the motion to approve Fred Mcgee. Is there a second? Councilmember troxclair seconds that motion. Any discussion on the dais? Councilmember Casar.

>> Casar: I would like to add as an amendment to the motion the additional statement that's been drafted by the law department that we all have.

>> Mayor Adler: Okay.

>> Casar: And that reads that we understand we are required to accept and approve the democratically selected members to the CDC, however, we are gratefully concerned about the democratically member has made and strongly recommend all individuals serving on the CDC act respectfully throughout their term.

>> Mayor Adler: There's been suggestion to add this amendment. Is there any objection to this amendment? Hearing none, that amendment is included. Further discussion? Councilmember pool.

>> Pool: I also wanted to note that council board and commission appointees are subject to and covered by city ethics and conflict of interest policies, and I would like to request the city manager make appropriate changes to our board and commission procedures, whatever document is necessary in order to cover our boards and commissions with the part of our city personnel policies that prevent all city employees from engaging and in this case it would be appointees, from engaging in conduct that is is discriminatory, harassing, sexually suggestive or that demonstrates hostility toward anyone based on a protected class.

[1:54:48 PM]

>> Mayor Adler: Okay. Councilmember Garza.

>> Garza: I guess I just want to provide some context because we've had a lot of discussion about this, but I don't think the public has. And we are appointing somebody who made some very inappropriate comments in a public meeting and has a history of doing that, but don't have a choice, unfortunately. So I appreciate the amendments that my colleagues have added. You know, in a time when women are finding their voice when it comes to harassment, in a time when we are trying to teach our children not

to bully, I hope that this appointee has learned from this situation and conducts himself in a much more professional manner as a representative on this body. Not this body, that body.

>> Mayor Adler: Further discussion? Yes, councilmember kitchen.

>> Kitchen: I would like to thank councilmember pool for bringing -- bringing forward the idea to request the staff to bring to us any changes that we need to make in code that will make our nondiscrimination policies, sexual -- pardon sexual harassment policies apply to our board appointees, and just so the public will understand, once that's done, it would apply from this point forward and would be a reason and a criteria for qualification to participate on a board and to stay on a board. So I think that that's important for us to put in place some mechanisms that reflect our values as a community, as councilmember Garza stated and so that we won't be in this kind of situation in the future.

[1:56:59 PM]

>> Mayor Adler: Further discussion? Councilmember Casar.

>> Casar: I share the sentiments of councilmember Garza. If we were allowed by the rules in this particular situation on the CDC with the members elected by neighborhood groups to vote no, if I was allowed to vote no, in this case I would vote no. This council I voted no to several appointees when we have been allowed to and I think members of this dais have voted no on appointees for much less reason than this. You know, the language that was drafted by law that's being incorporated in this motion is about our grave concern as a council. I don't just have a grave concern about the public comments that were made, but I am very concerned about how this will impact the CDC moving forward because our city staff still have to attend those meetings and the CDC members still have to attend those meetings, and I just don't want to continue to put our city staff or members of the CDC in a situation where they might feel uncomfortable, but ultimately we do have to vote yes alongside this statement. I also am concerned that from what I've read in the media since this issue came up, there has not been much remorse about those comments and I think that that is also of concern to me. This isn't really about political views. I've appointed lots of folks with political views different than mean. It has to do with the comments that were made and don't seem to be an isolated situation. I'll also point out that on this commission bylaws that we have as an item coming up, there is a process for removal that the CDC can go through. I would urge the members of the CDC to look at their new by last once we pass them and consider whether or not this appointed member matches the values and the rules laid out in those by last and whether or not the CDC wants to continue to have this member on or whether they want a different member appointed.

[1:59:13 PM]

>> Mayor Adler: Let's take a vote. Those in favor of this item number 23, please raise your hand. Those opposed? Unanimous on the dais with councilmembers alter, Renteria -- are you voting for this with

everyone else? Do you want to vote on this? I'll ask for the vote again. Those in favor of this -- the last item which is approve Mr. Mcgee along with the addendum or the amendment added by councilmember Casar. Those in favor? Those opposed? It's unanimous on both passes. I think that gets us then to item no. 66, which are the cbc ordinance and bylaws. This came to us from the committee. Does someone want to make a motion? Council member pool. Council member moves passage of item no. 66 as contained in backup. Is there a second to that? Mayor pro tem seconds that. Discussion. We have one person who is signed up to speak. Do we want to go to the public testimony? Mr. Mcgee.

>> One comment. I was present at the audit and finance committee, although I'm not a member of the audit and finance committee when this was discussed and I just want to note the comments I made in that meeting apply to the vote we're taking now.

>> Mayor Adler: Okay. Mr. Mcgee, you want to come on down?

[2:01:18 PM]

>> Mr. Mayor, I hasten to remind you again, please address me and the public as Dr. Mcgee.

>> Mayor Adler: I apologize for that.

>> I am, as you know, the first African American archaeology graduate from the anthropology department from the university of Texas. I worked hard for that. My late mother was very proud of that, so I would appreciate it. Thank you, sir.

>> Mayor Adler: I apologize.

>> Dear mayor and council, what makes the community development commission different from every other board or commission of the city of Austin? Answer, it's the only commission with an explicit mission concerning poverty in our city. In other words, this commission is basically an anti-poverty commission. It's also the only commission with a federal mandate stating that poor people themselves or their representatives must have representation on this commission. These elected officials do not serve at the pleasure of the city council. They serve at the pleasure of the communities they represent. I have been pointing out these basic facts formally for years. They were ignored. If you approve item 66 as currently written, the community development commission will also be the only commission with a provision authorizing the removal of a commissioner, including any elected ones, by simple majority vote. This means that someone such as myself, who was just reluctantly approved by you, could be voted off the commission by the seven city council representatives plus one other commissioner. Let me tell you how this looks. Apparently you don't like it when poor people or their advocates don't work for you. Especially when those people demonstrate a capacity for independent judgment. And an ability to fact check claims being brought before the commission by certain staff, nonprofits, or academics. I should also note that what is currently being proposed here may not be legally sufficient. We'll see what tdhca has to say about that and the inspector general of the federal department of health and human services.

[2:03:23 PM]

It violates the spirit and the intent of the csbg program and especially it's war on poverty. It is not morally sufficient to sum if you don't fix this you are saying poor people in Austin are second class citizens for purposes of this commission. You are saying they need to be kept on a shorter leash than members of a planning commission, the board of judgment, or other sovereign boards. In other words, you are saying that when it comes to the subject of poor people that it is acceptable for them to be subjected to a double standard. I also wish to briefly comment on the commission in the draft resolution that would expand the service area for this commission to all of Travis county. You should not change the boundaries at this time. We need to have a robust public process before doing something that dramatic just as we did when we went to attend city council. Furthermore it is underhanded and wrong to consider such an important change given the fact that many of the seats on the community development commission currently and perpetually are vacant.

>> Mayor Adler: You can conclude.

>> I have one paragraph left. With some seats having spotty attendance records. As for the other changes, I support them.

>> Mayor Adler: Thank you.

>> As, I said, I have been support them for many years. Even if you are doing this reluctantly, I'm glad you're coming to compliance. Late is better than never.

>> Mayor Adler: Those are all the people I think that we had signed up for this. So now that takes us back up to the dais.

>> I'll be back for the budget discussion. Thank you, Mr. Mayor.

>> Mayor Adler: Thank you. I have handed out an amendment. If there's a second, I'll speak to the amendment that I've handed out. Mr. Flannigan seconds the amendment. Council members, we talked about this before.

[2:05:28 PM]

The current ordinance that we have says that in this case since there are seven appointments to be made that it's not divisible by the 11, that the nominations come from the mayor to the council. The council, of course, has the opportunity at that point to appoint anyone that it wants to consistent with the statutory requirements. The committee that I'm on, audit and finance, decided to change that at the direction and suggestion of our staff. Because at the time that it came before the audit and finance committee we were being told that the change had to be made in order for us to be compliant. And we were taking the recommendations that were made by the -- our attorneys office based on conversation they had with the state and with the attorneys for the state. Upon further investigation, it became apparent that there is no state or federal rule or requirement or state law that would prescribe how we

would come up with nominations. So the basis on which the audit and finance committee made its recommendation was no longer valid or appropriate. I know we talk about this issue in other contexts, and really this frankly is going to concern one point in time, because these are four-year appointments. So once this happens it's not going to happen again for us. That said, whoever is in this office as mayor is the only person that's elected citywide. And I'm reminded in the last six months, especially, what it means to be accountable throughout the city. As I go and as the others who are in the race for mayor go all over the city and speak to neighborhood groups and clubs and organizations and people all over the city, each of whom believe me to be as accountable to them as your district folks believe you to be accountable to them.

[2:07:51 PM]

In this instance there are seven appointments to be made. Five of them need to be elected officials. And then two of them come from broader groups in the community. And I would suggest for considerations from my colleagues that in this kind of situation especially is concerning the unique appointments to be made to this that it's appropriate for whoever it is that has this office and is accountable to the entire city to bring that slate forward to the council, recognizing that at that point the council's free to appoint whoever, however they wish. So I would move and urge approval of this amendment. Council member Renteria.

>> Renteria: I'm going to second this but I served on the CDC commission for 13 years and even in the '80s I served for three years on there. And we did have our disagreement but we always showed respect to whoever we disagreed with. And I'm just kind of concerned that, you know, we're losing that, you know. So I have always respected everyone that has come before me, you know, and treated them just like they would want me to treat them. So, you know, I support what we're doing here. That's why I'm going to support this motion.

>> Mayor Adler: Thank you. Council member pool.

>> Pool: Mayor, thanks for the words on your amendment, which I don't support. I do think that while the mayor is the one position on this dais elected from all parts of the city, we all are tasked with looking out for the health and safety and welfare of everybody throughout the city.

[2:09:54 PM]

And in some ways it's harder because we are elected from a smaller area. But our job is to be supportive of policies that cut across the entirety of the city. If we allow you to change this to be all seven members nominated by you, acknowledging that the body would be approving them and appointed by the council, that means that we wouldn't continue to have any skin in the game to the extent that the people that we may be looking to appoint to the CDC who would be drawn from a geographic area, that is affected by the CDC. Our appointing of those members or nomination of those members actually

commits us more deeply to the work of that commission, which I think we all take very much to heart. And so I appreciate the point that you're making about your representing through election from the entirety of the city, but all 11 of us must in fact be looking out for the best interest of the entire city. So I would support the language that came up through the audit and finance committee meeting. And then I would just say on that when I was able not to be at that committee meeting, I'm a voting member of it. I would have voted for the seven members nominated by the council however it was that was discussed there. But I think there wasn't a majority vote on this item. I think my understanding is there were four people there and it was a 2-2 vote. So there wasn't a recommendation on this coming out of audit and finance. Is that accurate?

>> Mayor Adler: That's correct. There was no recommendation of the council on this point. Yes. Council member kitchen.

>> Kitchen: I also feel as council member pool does that it is appropriate that this nomination be by the council, and that is like no reflection at all on our current mayor or on any individual mayor, for that matter.

[2:12:17 PM]

And I respect the fact that the mayor is accountable to all the community, but I think the rest of us are also. And while it is true that the council as a whole approves a nomination, having a nomination come from one position is still difficult and not representative, I wouldn't think, of a 10-1 council. And so while I appreciate the position of the mayor in regards to this, I'm not going to be able to support it. I think that this is something that the council as a whole needs to be involved in the nomination.

>> Mayor Adler: Any further discussion before we vote? Council member alter.

>> Alter: I wanted to clarify as a member of audit and finance. As I recall on my motion, we moved it forward because we were still trying to gather some information from legal. And it was not -- we did not take a vote on one or the other. We decided to forward it so that it would move forward because we thought it was important enough to fill the positions. And there was a very valid request by the mayor to have more information. And I think that was -- we were given the impression that one thing was not legal when in fact it was. And in this particular case I'm going to support the mayor on his proposal for this commission. I think there was some confusion and some things that happened along the way. And given that there are so many of these that are public officials, I think in this case this is a very appropriate step.

>> Mayor Adler: Any further discussion before we vote? Mayor pro tem.

>> Tovo: Yeah, confusion aside, I agree with council member pool.

[2:14:23 PM]

We have lots of boards and commissions. We could easily go down a path where more and more of those appointments are done by one member of this council if we accept that this is -- that if the mayor, who is elected by the whole city, should have more appointments on a board or should have more ability to nominate on a board. And that's just -- I don't think that's at all reflective of the voters' decision when they voted to change the system to 10-1. So I believe that in addition to accepting the proposal that is in our back up which, as I recall, is actually a recommendation of the community development commission -- and I may be wrong about that, but we didn't draft anything at audit and finance. We were reviewing something that the staff had prepared. Yes, it's true that it was in part because there was a belief that the state did not want us to have one member of council making the nominations. I still think it's a best practice to have more voices involved in that -- more voices from the city council involved in those nominations. And so I think it's a much better practice to have a council committee or two council committees, if we decided to have housing and public health be the nominating bodies. And so that's my reasoning for this. For not supporting the motion to change it from as it is in our back up, which would be nomination by a council committee and affirmation by the whole council to the mayor's amendment which changes them to mayoral nominations and affirmation by the council.

>> Mayor Adler: Hang on a second. Mr. Flannigan and then Mr. Casar.

>> Flannigan: I support this amendment. I think it is important for us to consider the role of the mayor, and when we're talking about a commission that doesn't have by district appointees, then I think it's perfectly appropriate for the mayor to fill that role.

[2:16:33 PM]

And, again, you know, it's really important that we make clear to the community that the mayor making a nomination doesn't change the ability of the council to vote it up or down or make changes from the dais. I'm not even sure it changes the ability of a committee to bring their own recommendation for the same meeting. I think it's perfectly appropriate to do this and I also want to make sure that we don't fall into a practice of governing by the slippery slope. What we decide now is not, in any way, bind or require us to do something in the future.

>> Mayor Adler: Council member Casar.

>> Casar: So I think my understanding of this is wrong but I think we're talking about this in a way like other board or commission appointments. Because my understanding is it would be the mayor selecting which of us sits on the CDC or sends our representative. So I think what we're largely arguing about is whether by committee we're choosing which committee of us to appoint to the CDC or whether we're going to have the mayor, just like in other instances, picks which of us gets appointed to the CDC. There's a couple of business representatives but in most of these seats it's elected. I think what has changed is it's elected officials that get put in these seats so we're deciding right now whether we want the mayor to pick four or five of us or county commissioners to be on it or whether we want to go into committees to pick which members of our committee want to be on this committee. That's my -- so that's why I think it just makes sense for the mayor to pick four council members representing low-

income communities to then be on this or have our surrogate be on it. So this isn't like other boards and commissions where we would, you know, picking the sustainability committee.

[2:18:35 PM]

We go to committee and pick a citizen. We are not allowed to do that. We would have to go into committee and pick in our committee an elected official to nominate back to us. It's just different, and that's why I think it's fine for the mayor to pick four or five of us to serve on the CDC. And we can pick our own surrogate if we don't want to go to the meetings.

>> Mayor Adler: Council member Renteria.

>> Renteria: I have two of these neighborhood centers in my district and I'm very concerned if we have a committee that picks it that doesn't even have -- the members don't even represent my area. There's a possibility that you could have a committee that have no knowledge of what's going on in my district and how it's concerned. I think if we have a mayor that represents the whole area then I'll be more comfortable having the mayor appoint these members and recommending these members.

>> Mayor Adler: Council member Houston.

>> Houston: Mayor, I am not on the audit and finance committee so I'm not -- I don't have that information or the depth of information that you all are sharing today. But it seems to me that many of the other opportunities that we have as members of a council committee to make recommendations to the full council for appointments to various other boards and commissions, not internally but we've gone through multiple times with central health. And we did that in conjunction with Travis county when we have a joint appointment. We sure did that with municipal court. And so we have got examples of where we are in a council committee able to come out with the kinds of representation that this calls for from those areas where people have low incomes.

[2:20:36 PM]

And then present that to the full council and then the full council makes the appointments. And so I'm not sure why this one would be any different. And you may know that but in other examples we've done it and council committees have done it and done, I think -- I don't know about you all, but I think that we did a great job on central health and municipal court. The clerk. So I'm not sure why this would be any differently.

>> Mayor.

>> Mayor Adler: Council member Casar. >>.

>> Casar: In response to that question from council member Houston, I trust our committees can do a good job with this. What's different is our committees would be picking elected officials, I suppose

council members. We wouldn't be interviewing anybody to be on the CDC. We have to appoint elected officials to these positions. I suppose we can go out and pick other elected officials from other jurisdictions, but my preference would be for council members to pick their designees. And so we would be going into committee to deliberate and pick council members for this. That is my reading of the law. Unless I'm confused.

>> Mayor Adler: Council member kitchen.

>> Kitchen: Well, I would remind council member Casar that I understand what you're saying. But the language in the bylaws doesn't require picking city council members, nor does it require picking council members that represent the geographic areas that these are located in. And so I'm really trying to think about this from a best practice -- or I am thinking about this from the best practice of a governance model, which has nothing to do with any one mayor. And I just really think that it's important, if we want to be specific about which elected officials, then we can do that. But I don't think that the language such that it is has any kind of guarantee about a council member being nominated, much less the council member in a particular area.

[2:22:45 PM]

So, anyway, what I said before, I just think it's a best practice that the council be responsible.

>> Mayor Adler: Any further discussion before we vote? Mayor pro tem.

>> Tovo: I think it's worth pointing out that the practice has not been for council members to serve on it. The practice has been for community members to do so. And it's my guess that that would continue into the future.

>> Mayor?

>> Mayor Adler: So with respect to these nominations, five of the nominations have to be public officials and then two of them are not. The law provides that when a public official is selected that that public official can choose to have someone permanently standing in their stead. And the person that makes that choice of that person would be that public official. So our appointment is to the -- five of the seven spots are public official appointments. And for that reason I just think that this one especially differs. And I think, for me, the 10-1 council system in this instance would indicate that somebody that represents all of the city should be making this initial recommendation to the full council recognizing, again, that the full council can appoint anyone it wants to. Yes, council member kitchen.

>> Kitchen: I just have a question. And I'm not remembering. So prior to the 10-1 council, how were these appointments made?

>> Mayor Adler: I think the existing ordinance has all the appointments made by the mayor. So in council member pool's motion it's a change to the existing ordinance.

>> Kitchen: I'm sorry. In previous councils. Because I know when we made this switch over in boards and commissions, some of the boards did not have additional members added to them and that it was changed to mayor at that time. Is that not the case for this one? Your memory is what, mayor pro tem?

[2:24:53 PM]

>> Tovo: Somebody needs to go back and research it but my memory is I thought they were made -- well --

>> Can you ask your question one more time?

>> Kitchen: I remember when we switched over to 10-1 council that before we did there was an analysis of the boards and commissions and some of them were changed to add members so that they had 11 members or more. And some of them were not. So I'm just trying to remember how the appointment was made for this board prior to the 10-1 council.

>> So the prior council had seven members. So that was the seven non-democratically-elected members and the low-income members are seven of those total. I believe one more private. So it was 15, I believe. And then we changed to 16 when we went to 10-1, which was not divisible by three. That was inconsistent with state and federal law requirements, because it requires a tripart type board. We went back to 15 and amended the code to have the seven public-private sector members nominated by the mayor.

>> Kitchen: But the previous -- what my question was the previous committee, who nominated? Prior to 10-1 council, how were the nominations.

>> There were seven council members so they each got one nomination.

>> Kitchen: The appointment by the mayor is new.

>> The nomination by the mayor is new.

>> Kitchen: I'm sorry. Not appointment. Nomination by mayor is a new approach under the previous council it was done by council members having appointees. All right. Thank you.

>> Mayor Adler: Any further discussion before we vote? Council member Flannigan. >>.

>> Flannigan: I just want to point out because the way you described that it refers to the comments I made in audit and finance. I would not refer to council members as being not democratically selected.

[2:26:53 PM]

You're being incorrect. It's the ordinance but I maintain a concern that we refer to someone appointed at a single meeting based on the number of people who show up as a democratically-elected process,

which I believe is a democratically-elected process. I think it underserves working people and low-income people who can't always make a meeting. It's those of us who have to run a campaign are democratically selected. Those are my comments at audit and finance.

>> Mayor Adler: You are talking about the other five, not the seven. Got it. Any other discussion on the amendment I put forward? Then let's take a vote. Those in favor of the amendment I put forward, please raise your hands. Casar, alter, Flannigan, me, Renteria. Those opposed please raise your hands. It's a balance of the dais. It's defeated 6-5. We're back to the main motion. Any further discussion? Let's take a vote. Those in favor, please raise your hands. Those opposed. Unanimous on the dais. That item passes. We can handle the zoning consent agenda. Why don't you take us through that.

>> Thank you, mayor and council. We'll go through our 2:00 items we can offer for consent. The first is item no. 37. C 142-017-0022. Staff is requesting a definite postponement of this item. Renotification would be required prior to bringing this item back for your consideration. Item 38 is C 142-018-0069. Council member Garza is still working with the community on this item. And we request postponement of this item to your September 20th agenda. Item 39 is case c10-v82032 rtc.

[2:28:55 PM]

This is for consent approval of a termination of a restrictive covenant. Item no. 40. C 14-2018-0048. Staff would offer this for consent approval on all three readings. Item 41 is c-14-2018-0073. Staff would offer this for consent approval on all three readings. 42. C 14-20180076. Staff would offer this for consent approval on all three readings. 43 is c-14-h2018-0014. This will be a discussion item. We have numerous speakers. Item no. 44 is case c-14h-20170129. I understand council member Flannigan would like to discuss this item. 45 is case c-14h-2018-0032. Staff would offer this for consent approval on all three readings. Mayor, I believe you have some speakers that would just like to speak in favor of this item. I don't know how you would like to handle that.

>> Mayor Adler: 45?

>> On 45.

>> Mayor Adler: We'll probably call them to speak on the consent agenda.

>> Item 46 is c-14-h2014-0084. This is also a discussion item. On the addendum item no. 68. C-14-2016-0094. Staff would request a postponement of this item to September 20 agenda. Item 69 is case c-14-2007-0087. Our ca staff would request postponement of this item to your September 20th agenda. And then on items no. 70 and 71. This is case npa2018-2602 and c-14-2018-0024.

[2:31:03 PM]

We have speakers signed up in favor and opposed. So those would be discussion items for item no. 70 and 71.

>> Mayor Adler: Okay. So 46, was that being postponed to September 20th?

>> 46 is a discussion item. 45 is the one where we had some speakers to speak to the item.

>> Mayor Adler: So the consent agenda that I have then goes from item 37 through 46.

>> 43 is discussion.

>> Mayor Adler: It's items 37 through 46 and also items 69 through 71. And the items that are pulled off the consent agenda from within that range are item 43, 44, 46, 70, and 71. Is that correct?

>> Yes, that's correct.

>> Mayor Adler: I understand we have a speaker to speak on one. Those are items pulled off the consent agenda. Is that correct?

>> Yes.

>> Mayor Adler: Thank you. Is anybody else pulling any other items?

>> Would you repeat that? I thought I had 43 and 44 pulled.

>> Mayor Adler: The ones that are pulled, again, the consent agenda range is between 37 and 46 and 69 and 71.

>> 68 through --

>> Mayor Adler: 68 through 71. 68 through 71. 37, 46, and 68 through 71. And the items within that range that are being pulled off the consent agenda are numbers 43, 44, 46, 70, and 71.

>> Right. And noting public hearings closed where appropriate.

>> Mayor Adler: And part of the motion is to close the public hearings.

[2:33:03 PM]

Mayor pro tem.

>> Tovo: Mayor, I missed 43 and -- well, 44 was pulled by speakers?

>> Mayor Adler: Mr. Flannigan. Mr. Flannigan pulled that. We have some speakers to speak on the consent agenda. Yes.

>> And once we pass the consent, 70 and 71 folks I think have agreed to semi consent to where we would have the applicant and housing authority just speak briefly. Contact team folks speak briefly and pass it on first reading without us having to deliberate much so we can handle it on second and third in September.

>> Mayor Adler: Any further discussion? Let's hear from the folks who want to speak on the consent agenda. Is there someone here to speak to item no. 45?

>> That's me. Good afternoon, Mr. Mayor. My name is Burt Ellison. To the mayor, council members, and others present, a special hello to Mr. Renteria. We were in the same gym class at Allen junior high. Good to see you.

[Laughter]

[Applause]

>> I'm here to speak in support of the property at 4605 Leslie avenue, which would receive a historical landmark designation. That was my home and the neighborhood I grew up in since birth and now into adulthood. I realize the information I will provide is mostly anecdotal and taken from the initiatives that my parents, their neighbors and relatives and friends. However, I can assure you that it is factual. My parents were stalwarts. I can recall them discussing the poll tax and literacy test, attempts to suppress their vote. However, they paid the tax and held meetings at the house. The precinct building and school to ensure their neighbors were active participants in their basic right, the right to vote. I can recall them having neighborhood meetings to organize petition to Travis county and later the city of Austin to pave Springdale road because their children were covered in dust by the time they arrived at Sims elementary.

[2:35:17 PM]

A subdivision boarded by weberville and Springdale named hungry hill. I can recall the installation of sewer lines and paving of roads in cedar valley, the results of successful fights by my parents and other residents for things at our neighborhood that were taken for granted in the construction of other neighborhoods outside of east Austin. My father dug the trench from our septic line to the street to connect to the city's wastewater line. One downside of paving Springdale and other streets in cedar valley was to eliminate the ready supply of rocks to throw or hit with a broom stick. Growing up my mother and father required us to be model kids. Because everyone in the neighborhood and the black community knew them and their character. I could do some act of mischief two blocks away and by the time I got home, my mother was waiting with a switch or had me go get one from the hedge in the backyard that I believe my father grew just for that purpose.

[Laughter]

>> I was really glad to see that hedge go when my father added two rooms to the rear of the house. He added those two rooms himself. I can recall my father taking his boy scout troop to hike down an unpaved Springdale road to highway 290. It was quite an adventure for me as a 10-year-old. Parents trusted this World War II vet. When I became an adult, I would sit on the porch, which he also built. My father would always lament the number of his former scouts killed in the Vietnam war. My father was a World War II vet and despite the degradations experienced in the military and segregated Austin, he was a patriot. He was proud of the fact that two brothers and myself all served in the United States military because he felt it was our duty as U.S. Citizens. My elementary education was in segregated Sims elementary where my parents were active in the pta and all school activities where I received a quality education.

[2:37:22 PM]

I'm also a graduate of the university of Texas because my parents instructed me and any child they encountered to be excellent. Excellent in character, excellent in faith, excellent in education. So we ask that this home have historical significance because that's where I was raised and it's quite a neighborhood. Thank you very much.

>> Mayor Adler: Thank you, sir.

[Applause]

>> Mayor Adler: Is there a motion to approve the consent agenda? Council member pool makes that motion. Is there a second to that? Council member Renteria seconds. Any further discussion? Those in favor, please raise your hand. Those opposed? It's unanimous on the dais. Consent is approved. Let's look at 70 and 71 real quickly. It looks like we have three speakers on that and then an agreement for us to approve on first reading only. And then move it to September.

>> September 20.

>> Mayor Adler: And keep the public hearing open. We would keep the public hearing open and move it for second reading on the September 20th agenda.

>> I'll call the applicant and speaker.

>> Mayor Adler: Let's call up the applicant to speak. Ms. Glasgow are you here? Is Ross Hamilton here? So as an opening applicant you would have five minutes plus donated two minutes. You would have seven minutes. But given the fact that we have all agreed that we're going to approve it on first reading you don't have to take all seven minutes.

>> Good afternoon, mayor, mayor pro tem, council members, city manager. I'll keep this brief. This property is located on east Powell lane and also to the south of the property is the east Wonsley drive.

[2:39:28 PM]

The property is approximately eight acres and it is currently zoned I0 with a mixed use overlay np, neighborhood plan. And also it is zoned Irmu and P. We are seeking to change the zoning to multi-family four to allow for the ability to have multiple types of residential units. So you have efficiencies, one bedroom and two bedroom units. Whereas under the current zoning the maximum number of units we can have is 220 units under the current zoning. However, that maximum number would be all efficiencies. So by changing the zoning to multi-family 4 we're able to provide efficiencies one-bedroom units and also two-bedroom units. And the numbers would be 43 efficiencies, 180 one bedroom units. The impervious cover would actually go down under the multi-family 4 zoning. The current zoning allows 80% impervious cover. The proposed zoning would be 70% impervious cover. While we're not required

to provide any affordable housing, my client has entered into an agreement with the housing authority of Austin, and there's a representative with me today who is going to speak. Just to let you know what the memorandum of understanding is and the type of affordability that is going to be proposed with a joint partnership between jcr and haca. City staff required us to participate in the neighborhood traffic analysis, nta, and the results of that assessment requires the developer to develop and dedicate a 15-foot trail that runs north and south of the property, which will be able to connect the neighborhood from the south to the north where the neighborhood park is located.

[2:41:40 PM]

And I'll go back to the previous map so you can see to the north. There's a park directly north of our site on east Powell lane. So the [indiscernible] And construct the sidewalk, which would enable the neighborhoods from the south to be able to walk unimpeded on a sidewalk to the neighborhood park. I will pause here and let Mr. Ron speak from haca. Thank you very much. I'll be glad to answer any questions you might have.

>> Mayor Adler: Thank you. Mayor pro tem.

>> Tovo: Ms. Glasgow, I apologize because I think you provided this information in your presentation, but I missed it. Can you tell us again what the breakdown is between efficiencies, one bedrooms and two bedrooms, please?

>> Yes. The efficiency units will be 42. One bedroom units will be 180 units. And two bedrooms will be 36 units for a total of 258 units.

>> Tovo: And there are no three bedrooms?

>> I'm sorry?

>> Tovo: No three bedrooms?

>> None planned now but my understanding they will keep that in mind as they design the project. They are not contemplated right now but probably a few as they go into the design.

>> Tovo: And maybe this is a question -- well, I think it's a question for you as well. Will the affordable unit mix match in terms of the bedroom count?

>> That's my understanding. That's my understanding. Again, Ron will confirm that.

>> Tovo: But it will be proportional -- I mean, is the agreement that your client is entering into with haca that the affordable units be -- that the mix of affordable units be proportional to the market rate in terms of bedroom count?

>> I'll confirm that with the client and get back to you.

[2:43:40 PM]

>> Tovo: I appreciate it.

>> Mayor Adler: Let's hear from the haca representative.

>> Thank you.

>> Mayor Adler: And we'll hear from the other speakers.

>> Good afternoon, mayor, mayor pro tem, council, city manager. Vice president of Austin affordable housing corporation. And with the housing authority city of Austin. And to answer your question, mayor pro tem, yes, those are proportional. There will be 85% of the 258 units will be at 60% and below median family income. There will be 39 market rate units on this project. We did enter a memorandum understanding agreement with our development partners. We're very excited to provide a neat affordable project there in that area. And over the next 30 days we'll be working on some other things with the neighborhood with the north Lamar and Georgia acres neighborhood to do some other creative things in and around that area. So we're excited to work forward in the next 30 days. But we are very much excited and look forward to doing something really neat here.

>> Mayor Adler: Okay. Thank you. Questions? Mayor pro questions? Mayor pro tem.

>> Tovo: Thank you. I heard you say that 39 of the units would be market rate and then all of the rest are 60% -- I mean 80% and below?

>> 60% and below.

>> Tovo: I'm sorry, 60% and below. Of the 39 market rate, some will be efficiencies, one one bedroom, some two bedroom?

>> That's correct.

>> Tovo: So definitely some affordable ones.

>> In the twos. This project will be open to housing voucher tenants as well.

>> Tovo: Great. And what other kind of on-site amenities are contemplated? Community rooms appropriate for on-site child care?

>> Large community room, a swimming pool.

[2:45:42 PM]

The housing authority is going to assist our development partner and bring in supportive services to the site and also open some of those we can open to the neighborhood as well. In the next 30 days when we come back to you in September, we will have a nice list of things that we're doing. We're a little late to the game in this in getting our M.O.U. Together with the developer, but we have been working behind the scenes the last 30 days. I think we're going to have really cool things to offer.

>> Tovo: Is this housing aimed at families with children or other individuals?

>> Both. Obviously with two bedrooms we're not going to have large bedrooms, but I think there's affordability units in this area that when you drive around that maybe don't have the greatest living standards, they are older style projects and not in as great a condition as we like to see and this is going to offer a neat opportunity for a lot of the neighborhood to enjoy some really cool amenities into a new project and still keep that affordability. Hopefully if we do that it may push some of these projects to do more rehabilitation and change the overall perspective other units in the area.

>> Tovo: When you come back in September you will have a little more information about, say, whether there would be on-site child care?

>> And you will probably have that ahead of time.

>> Casar: Mayor, before the folks from the nearby community speak, I think we're trying to work with folks in the community to find out what things would be useful not just at this project but what some of the gaps might be in the neighborhood so that decision is made in context. And also I want to raise between here and September that the city of Austin and central health own two small parcels next door where there's no plan about what to do with those parcels, and I think we're also trying to think of all these things collectively so we can provide services and something good if this project is approved and built, but then also see how that can trigger use of small, really small pieces of city and central health-owned land that can serve not just the folks that live here but the nearby community as well.

[2:47:59 PM]

>> Mayor Adler: Okay. Thank you.

>> Thank you. You have three minutes.

>>> Thank you. Good afternoon, mayor, councilmembers. We really appreciate that you care to hear what our neighborhood has to say, so thank you for the opportunity. My name is Lynn Galbret and I'm here to represent the neighborhood's current position. We agree the public hearing aspect needs remain open. We're okay with first reading on consent, but we need your ears to remain open about this. We are engaged in a conversation with the applicant and other partners such as the housing authority. Facilitated by councilmember Casar. We appreciate that too. Those conversations are absolutely critical for what ultimately happens here because this project asked us to undermine neighborhood plan, city zoning principles and city of Austin strategic housing blueprint policy as far as what's appropriate to provide to people who need affordable housing. Our stakeholders rejected the original version of this that was presented, and while that versions have continued to change since then, so far, just so far there's nothing about this project compelling enough to overcome the many reasons it's a bad idea. But were willing to continue the conversation to determine if that can change. Our concerns, our main concerns revolve around impact on the neighborhood and impact on our future stakeholders who are the people who will live there, especially with the affordable housing assistance. They need -- they are going to need some things in our neighborhood just as we need some things. Our neighborhood plan emphasizes to limit the construction of new large moderate-to-heavy residential

complexes because their current dispro disproportionate volume limits the options for any kind of housing choice and an appropriate or proportionate mixture of housing types.

[2:50:16 PM]

If the entire neighborhood is large apartment complexes, that's serious limits to overcome. We're interested in why allowing one more to be added can actually provide opportunities in some other directions not only for the future residents but for the larger neighborhood, as member Casar said, in con architect.

-- Context. We're already affordable. You could rent an apartment there today right near my home for \$760. So if it is your choice to live in a large complex in an apartment, our neighborhood is it for you. We can't offer much for folks that would like a different choice. They are going to have to go to a different part of Austin. We would like to become a place that has more opportunity for a mixture of housing types and more housing choice. We're low income, median 50% of the Austin median. Low educational attainment, lots of children filling our schools.

[Buzzer sounding]

>> Mayor Adler: You can finish your thought.

>> This is the crux of it. Our plan's vision is to work toward a real mix of housing types, a mix of incomes and development to stimulate more opportunity to benefit our community. We're okay with density, we like our kids, support affordability. So we're going to be looking for a lot from our partners in in, the city housing authority, any other partners we can pull in to provide opportunity for everybody to win here. And hopefully in September we'll be in a position to describe what that looks like. Any questions?

>> Mayor Adler: Thank you very much.

>> Thank you.

>> Mayor Adler: That gets us back up to the dais. Is there a motion. Councilmember to approve on first reading only, keep the public hearing open, come back on September 20th.

[2:52:23 PM]

Councilmember Casar makes that motion. Councilmember alter seconds that motion. Any discussion? Those in favor raise your hand? Those opposed? Unanimous on the dais with councilmember troxclair off. That takes care of items 70 and 71. Mr. Flannigan, you want to address item number 44.

>> Flannigan: Sure. I have a general question of staff on the tax abatements on this property. I've been talking about the impact of these tax abatements on the other taxing jurisdictions. Do they all give to -- or just the city?

>> It is the city, the county and aid. Tax exemptions.

>> Flannigan: Do they weigh in on historic preservation cases?

>> They do not. If this council approves an historic zoning case, then we send them that information for them to include it in their budget. But no, there has not been a formal process for Travis county and the school district to hear these cases and make their own determinations.

>> Flannigan: Is that something that's in their discretion? Is that a state law thing?

>> No, they opted into the program.

>> Flannigan: They opted in.

>> Yes.

>> Flannigan: So they have a policy to honor all historic properties with tax abatement.

>> If they are going to honor one, they honor all.

>> Flannigan: So we opportunity be able to pick and choose.

>> They don't choose between properties. They choose like this council has the option of choosing whether to grant any exemptions for the year.

>> Flannigan: I'm not aware if there are any in my district. I don't believe I have a single historic property in my district. Is that a common practice among school districts and counties?

[2:54:25 PM]

If we were to find one in Round Rock and Williamson, would there be a similar -- or does every jurisdiction, just in your experience.

>> In my experience the tax exemptions are used routinely by taxing authorities to encourage historic preservation. And we worked very closely with aid in the past to provide the information that they would like for education opportunities, learning about Austin history [inaudible]

>> Flannigan: So the school district uses this as an educational opportunity. So if a property is designated historic, do they make themselves available to schools for -- I mean not every historic property bams place where tours are conducted, example.

>> Correct.

>> Flannigan: They are still privately owned, it's more the facade visible from the street.

>> That's correct.

>> Flannigan: Thank you. Just for my colleagues, I'm not going to support the historic designation in this case. It's not entirely clear this is a historicry relevant structure. En in the description of the architecture it was a bunch of factors but doesn't seem to have a union tying architecture. It's not a famous architect

that I've seen on other cases. The -- pretty broad in terms of ownership changes. I don't know that I have any colleagues willing to join me in this, but I won't be supporting it.

>> Mayor Adler: Okay. Is there a motion to approve this item number 44?

>> Renteria: I move.

>> Mayor Adler: Mr. Renteria makes that motion. Mayor pro tem seconds. Any discussion? Those in favor please raise your hand. Those opposed. Those abstaining? Mr. Flannigan no, councilmember Garza abstains, councilmember troxclair off the dais and others vote aye. Number 44 passes.

[2:56:33 PM]

Let's call up the smoot tariffs item.

>> We've had the first hearing. As a brief recap, the smoot/ a century in waves of development that parallel the growth of middle class housing in Austin as a whole. This development began with homesteads in 1870s and continues through present day. The proposal is to designate the area as a local historic district which would entail design standards that would guide interior changes and new construction. It will enable property owners to access a abatement for rehabilitation work. Staff supports the creation of this district for a number of reasons. First, most basically, it meets requirements set forth for historic district designation in the land development code. More than 51% of principal buildings contribute and at least 51% of property owners support it by land area. More broadly, an historic district will help preserve neighborhood character, help steward change, promote sustainability by conserving limited natural resources in the form of embodied energy. Provide new financial incentives for property owners to reinvest in their buildings and support affordability and density. The council had asked about affordability and density with regard to local historic districts in first reading. Some information was provided about those in the late backup and I'm going to review them quickly. These numbers that I'm going to show are for an area that are around -- that's around and including smoot/terrace park, 630 single-family houses which is what we used.

[2:58:43 PM]

First affordability. In the area, single-family houses have -- newer single-family houses have assessed value on average around 32% higher than the assessed value of historic age buildings. In large part this is because they are larger. Roughly 40% larger than historic age buildings. But still that resulting value differential makes a real difference to households. You can see that the average assessed value per square foot is actually higher for historic age buildings. Despite their smaller size and lower average assessed value they are still a good investment. I'm going to refer back to the next slide. There is -- in terms of density, with smaller house sizes there's a real opportunity to increase density on parcels with historic age buildings. That opportunity is far less available on parcels with bigger, newer buildings which take up substantially more buildable lot area. You can see average lot coverage for historic age buildings

in this area is about 25% compared to average lot coverage for newer buildings at nearly 40%. That's much closer to the building coverage limit. Adus, duplexes, four-plexes and tri-plex all exist in smoot/terrace and provide greater density and naturally occurring affordable housing. Finally, just to bring it to your attention, there have been some proposed boundary changes since the first reading. The applicant is proposing these boundaries. They include 81 principal building, 64% of which are contributing. 64% of property owners and 62% of land area within these boundaries are in support of the district. These changes could invalidate the opposition petition by bringing it under 20%.

[3:00:45 PM]

Staff supports some of the changes in the proposed boundary. First removal of commercial properties on west sixth street. These properties do not contribute to the character of the predominantly residential district. And second, the removal of the properties on the north end of Pressler streets which are not part of the gateway into the district. Supported include 83 buildings with 63% contributing. 62% of property owners. 60% of land area within these boundaries are in support. 22% of property owners within the boundaries are included in opposition petition which would still be valid. In either case, staff supports the designation of the smoot/terrace park historic district. We do not believe mid block are best practice but believe the historic character would remain intact. This is a high character building with well preserved buildings and a very strong candidates for local historic designation. The proposed boundaries are supported by 64% of property owners within them. The application process has been transparent in public and the applicant has gone to great lengths to address her neighbors' questions and concerns about the district. Thank you. I yield for any questions. Of.

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: The slides you show about affordability on -- I know, I'm getting there. Is affordability part of the complying with historic district designation? Is there an affordability to that?

>> There's no affordability element, however it was a question raised by council.

>> Flannigan: Is it something staff considers when supporting or not supporting historic district designation?

>> Primarily staff looks at the requirements of the land development code, of the percent of contributing buildings and percent of property owner support.

[3:02:51 PM]

We do think historic designation has a side benefit in markets like Austin in preserving -- in this district Morrell actively affordable older buildings.

>> Flannigan: When you say the older buildings are relatively more affordable, are you just comparing them to other single-family homes that are built more recently?

>> Yes, that's correct.

>> Flannigan: As I recall from the last public hearing, this neighborhood contains a mix of housing types including small apartment complexes. I would guess that the units in those complexes are more affordable than the historic buildings that you are using for your chart.

>> Uh-huh. I'm not sure about those, but we tried to do an apples to apples comparison.

>> Flannigan: And I think that's the challenge for you guys, right, the challenge is you are dealing with the land use code we've all acknowledged has issues and how we solve those issues there's not agreement on, but that there are issues seems to be agreed upon. I think it's something to note. And city manager, I would ask you to note that when we're using comparisons for affordability, I don't think apples to apples in just comparing single-family homes to single-family homes is the only way to measure affordability. But if you also as I heard density is an element staff is interested in, then density creates affordability in ways, that would be good information to include in the future.

>> Thank you.

>> Mayor Adler: Okay. Anything before we hear from the public?

>> Casar: One more question for staff and it was something I learned in talking with some of the folks that live here. Is it correct to say that some of the design standards when we set up a local historic district trump the land development code standards as they exist or when they come into conflict that we set up a local historic district is allowed to prevail above the existing?

[3:05:00 PM]

>> That's correct, and our law department has reviewed them to make sure --

>> Casar: It's not a legal concern, it's something I didn't fully understand and it's really interesting we are essentially going back to the older code in some of these cases in a way that allows for the different compatibility and height setbacks and the like were obviously different then, and in order to keep with the character of this neighborhood, the design standards are set up to more of those pre-war standards.

>> The design standards emphasize compatibility, how progress on west ninth street, the northeast corner of the district, and they have -- as far as I understand it, committed to following the design standards and a development that will both retain historic age buildings, it will be contributing in this local district, and adding a number of units. Like in the high 20s of units on these sites. It is possible to have density, retain historic buildings and comply with design standards.

>> Mayor Adler: Thank you. Let's hear from the public. First speaker is rosemary Miriam.

>> [Inaudible]

>> Mayor Adler: Good idea. Thank you. Thank you. Is the applicant here? Go ahead. You have five minutes. Thank you.

>> Does that include the donated time?

>> Mayor Adler: Who donated your time?

>> The kiosk printout doesn't show who belongs to who, but each speaker has two donees of time today.

[3:07:00 PM]

>> Mayor Adler: Okay, so that gives you then three plus two plus two or seven minutes. And I think I did have something like this. Did you find --

>> Mayor Adler: I think there was a list that had speakers. This is the only one I've seen. So I don't -- so tell me who it is that's donating you time and we can check it off. Brian bandorf and Kathleen Deever?

>> They are both here.

>> Mayor Adler: You have seven minutes.

>> I'm Denise younger, applicant. As you can see on the slide here, there is strong support among the owner-occupied homes and the 63.4% in favor by acreage. There's a clear line between owner occupied and nonowner occupied in support of this district. The lhds are a necessary tool. They don't restrict growth or override the face zoning. Density is not exact in our area we have 65% of properties are mf-4, which is plenty of opportunity to add ads and expand your home on your property within the design standards. We have plenty of apartment complexes and density is something that has happened and can continue to happen in the proposed district.

[3:09:06 PM]

Design standards were created from community input. We started from the base, castle hill, which has been passed, and we had multiple meetings and opportunities for everyone regardless of their position to provide input. And as I said, there was significant support from the owners. In terms of outreach, you can see a snapshot of the website. That website was available to anyone who wanted to look at it. Everything that was mailed was posted to it. We continued with our conversations over the past year with everyone including the opponents up through this week. Everything was open and fair. We had districtwide meetings. Many changes to design standards were made at owners' requests. And in terms of the boundary adjustments, CARA spoke to that. As you often see in zoning cases and precedents have been set in previous lhds where up to council meetings things have been adjust to do meet concerns or address issues and feedback that we receive from the community. So CARA covered the businesses have been removed because they are detached from the residential core and they are commercial zoning. The out lot on Pressler was removed because it was originally thought to be part of the smoot estate and we found it wasn't. Properties on -- renovations that don't contribute to the historic character. And

so this is common to do these changes is something that has occurred in previous lhds. That's all I have. Thank you. Any questions?

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Yes, mayor pro tem. Hold on, please.

>> Tovo: Younger, would you mind pulling up that slide on the occupied versus -- owner-occupied versus nonowner-occupied? Thank you. I just wanted to see that again.

[3:11:08 PM]

Thanks.

>> Thank you.

>> Mayor Adler: Okay. Then rosemary. You have three minutes. Is Maureen methour here? Maureen methour? She wants to speak, she's going to need to come in. Is Donna Carter here? You'll be up next and you have time donated from David Smith. Is David Smith here? No? What about Ellen justice. Okay, so you'll have five minutes, Ms. Carter. Proceed.

>> Good afternoon and thank you for the opportunity to address you. I feel that the smoot/terrace local historic district will bring balance to our neighborhood and encourage compatible development. It allows neighbors to protect their property rights in the face of new development. The lhd encourages folks to work together to make their neighborhood the best it can be for all. We are certainly not opposed to change and growth. After all, we are property owners and we would like any outcome to benefit the complete neighborhood as well. We just want to make sure any new bills or remodels are compatible with existing properties. As a member of the old west Austin neighborhood association, I have always encouraged working with developers and new owners to develop compromises between preservation and growth. And we have successfully worked with many developers and their representatives through the years who recognize it as existing homeowners, we deserve a seat at the table, not just we're adversaries but because we bring good and helpful ideas. For many years I along with many members of the zoning committee have been attending the monthly historic landmark meetings in order to attempt to stop or delay a demolition permit on one of our structures. In some cases a delay being granted by the hlc has meant we've been able to speak and work with the developer/owner and come to an agreement that benefits both the developer/owner and the neighborhood.

[3:13:14 PM]

The local historic district will help reduce unnecessary demos by encouraging sensitive in fill development and remodeling of existing homes. This has been a grueling effort on the part of the neighbors of the proposed district and members of iwana. We hope you will support the current lhd as proposed.

>> Mayor Adler: Thank you. Before Ms. Carter speaks, is Scott marks here? Scott marks. And Scott marks has time donated from sandy vantelberg and also from keys vantelberg. We just heard from Donna Carter. No? I'm sorry, what?

>> [Inaudible]

>> Mayor Adler: That's what I thought. Miss Donna Carter was next. You're on deck and you have seven minutes. So what I'm doing is calling the person up and letting the person know who is going to be next in line so as that person is coming up, calling the next person. That will help us move more quickly through this.

>> Good afternoon, mayor, mayor pro tem, members of the council. I am here really to address questions that were asked at the last meeting. They were addressed by and comments that were made by councilmembers Flannigan and Casar. And I do want to talk about the lhd, first of all, obviously in favor of it. And remember that an lhd by itself does not talk about remaining single-family housing. It does not talk about the -- the density, per se. That's not part of what it does. But what it does do is look at this neighborhood with the historic form and the historic public realm how buildings address the public realm, how they address their own lot, the spaces between the properties, and with the guideline starts to talk about how not only your existing structure will do that, but also any new construction.

[3:15:27 PM]

And it is those guidelines and the flexibility that we have in temperatures of subchapter F, in terms of certain of the building codes that will actually allow us in some cases to have more density. I believe that I did circulate a memo with cartoons, and it's not something necessarily that I would do, but it was really an example of on an mf-4 lot, leaving my historic house there that's 2400 square feet, used to be eight rooms for rent but could be two units, parking the way traditionally the parking was done directly off the alley lined up across the width of that lot, and then keeping a heritage tree, providing two courtyards, getting anywhere depending on the size six to eight units that lot. Another example would be a house with a portico share. Those are different to build because that overhang is close to your neighbor. It's also difficult because it counts because we have a nonstandard definition of floor area when it comes to residences. That square footage, if you have a garage in the back, counts [inaudible]. Using this the form would allow you to keep that, you're not going to build over it because it's too close to your neighbor, but you could keep that form or if it's to the rear you could even add that form to the house. You can build out your attic and argue that I'm still within the form, that gross square footage, even though it's seven feet up there, I should be allowed to use that. And in fact I have seen units where you have a unit on the ground floor, an attic unit, you have two separate entrances, and in fact you could put an Adu on the garage that's in the rear.

[3:17:27 PM]

So again, it's not speaking to density allowed or density that you could put there or the potential of density in that area. It is speaking to the form. Now, would we want to come forward, put a fence around this and surround our house and take us away from the public realm? No, the guidelines wouldn't allow that. And would definitely discourage that. But that is part of what makes this neighborhood, which is bricks and sticks and mortar, become a community. And it's my contention, quite frankly, that if we did this granular look at other neighborhoods that are central to our core, that are older in nature, you could find these patterns and start to build out, add density, allow people to stay there and work on creative ways of adding additional units to these properties that are, as you saw, are skyrocketing in value. Which is another problem for people my age that have been there for 40 years. So I know there may be more questions. I encourage you to look at that little cartoon. And that happens even on smaller lots, and it also allows you to look at what does sf-3 mean in a neighborhood that already has tri-plexes and four-plexes and six-plexes within the historic buildings. That this is a way to keep an idea, an understanding of where we came from and how our city has grown and changed over the years. Still has a relationship to a dense downtown, vital core. And then allows us hopefully to continue that in this fine grain. If you have any questions, I'll be more than happy to answer them.

[Buzzer sounding]

[3:19:28 PM]

>> Mayor Adler: Thank you very much. Good job. Okay. Thank you. The next speaker, as we know, is Scott marks. But after he speaks, the next speaker after that is going to be Matt Thompson. Is Matt Thompson here? Matt Thompson. And you have donated time from she'll I can't Lyon and Sara Kennedy. Is she here? Sara Kennedy? So you'll have seven minutes, Mr. Thompson, you'll speak at this podium over here. Go ahead.

>> Thank you for letting us speak today and for your support for this local historic district. The last time I spoke to you I talked about how important this was for families with children in our neighborhood. There are tremendous development neighborhoods as there were on Rainey street and how we don't want to become another Rainey street, we just want a tool to allow us to have balanced development. We know development is coming and in many ways development is a good thing. It just needs to be balanced, and we want to level the playing field for families with children in our neighborhood. Councilmember Casar, you pointed out, and thank you for pointing out that, you know, that housing needs to be legal in Austin. And that in many ways the old development codes and the old patterns allow for more flexibility. That's absolutely right. And, you know, the design guidelines on page 8 and 9 talk about how we want to encourage ads, we want to encourage the owners of these old houses to build on to them, to get supplemental income so they can continue to live in this neighborhood. These

design guidelines are very flexible. We're not trying to freeze what is there. We want it to grow, we just want it to grow in a way so families with kids aren't forced to move out.

[3:21:38 PM]

Councilmember Garza, you pointed out you were opposed to anything that adds additional restrictions to homeowners. We have spent the summer talking to neighbors. This might be a weird thing to say, but I would like for you to respect the map the applicant has proposed because we've been talking to our neighbors and speaking with them about that. I don't think you are going to see a lot of people -- and this is a very active neighborhood with people who are very bright. I don't think you are going to see a lot of homeowners here today who are telling you they don't want these restrictions. These restrictions help the people including councilmember Flannigan, the people living in four-plexes that might be a century old in the neighborhood and I showed example of that at first reading. If, you know, whether -- the renters who live in this neighborhood ten years ago are for the most part still living there today and that's because the buildings are old. Jane Jacobs in her book talks about how if you have old buildings, that allows for diversity. That's the first condition for diversity in a neighborhood and for a great city is to have old buildings. Old buildings allow rent not to go up so much each year so that people who are renting and who have family, might be a single mom, can continue to live in the neighborhood. These are all consistent. These goals of affordability, they are important to me and this is something that the design guidelines allow for. I appreciate your support for this.

[Buzzer sounding]

>> Mayor Adler: Thank you. Is Maureen methour?

>> No, I am Erin Thompson, Matt Thompson's wife. I'm invoking my spousal privilege to take his time. He's okay with that.

[3:23:39 PM]

[Laughter]

>> Mayor Adler: We'll go ahead and allow that.

>> Good afternoon, Mr. Mayor and city councilmembers. Thank you for your time today. I don't know if I'm going to need all the time that's been allocated to me because I just have a few things to say. I want to say that this has been a really long process for the neighborhood and if I can just get everyone who is here supporting smooth/terrace to raise your hand, raise it high. I want you guys to see we have a lot of people who came out and left their day jobs on a Friday afternoon to come support this. This is -- the map and the boundaries that you see doctor are the result of a lot of conversations, a lot of Saturday morning meetings, a lot of phone calls while we're trying to make dinner for our kids, a lot of meetings with other neighbors at the park. It's been a long process and this process has been like all lhd processes

in the city of Austin, it's been hard and it's been burdensome. And the burden is placed on the neighborhood to make it happen. So the map that you see here today, the guidelines that you are looking at are truly grassroots driven because that's what we have to do, it's driven by the neighborhood, not by a single homeowner in the neighborhood. That's the first point I want to make and I'll say it's not perfect, the process is not perfect, but, like, Scott marks said, we ask you to respect the boundaries that have been presented. It's a community-driven process and it's community supported. And like you all know very well, you can't please everyone all the time, but you can do a really good job of pleasing most people some of the time. If we can do that, I'd call that a victory. I would like to also talk about the experience of the other two local historic districts in the neighborhood. We've got two other local historic districts.

[3:25:39 PM]

One that I had the privilege of living in and renovating a house under. The benefits of the local historic districts we've seen in the neighborhood is that more families are moving into the neighborhood. We are seeing restorations of homes, and importantly we are not seeing long, drawn-out, knock-down fights here at city council over demo permits. It's a huge savings for the city of Austin and the city council's time and the committee's time. It's a real fiscal efficiency that's been a great benefit to this neighborhood, to the city, and more lhds will -- will mean even a greater benefit. I also want to point out when the castle hill historic district was up before the city council, there was a lot of disagreement before it passed. The guidelines were changed between the readings, the boundaries were changed before it finally passed. There is precedent for this and I think every local historic district that's passed in the city of Austin has had changes to the boundaries and the guidelines. So there's precedent for that and it has still resulted in very effective local historic districts. The other point that I want to make is that I know that this council has tried to shift away from designating landmark homes because of the tax issues involved. Councilmember Flannigan, you were asking questions about that earlier. The solution to not granting more landmark homes is to allow for local historic districts to be formed. This is the solution that has been presented, this is the only tool that we have other than getting landmark designation. And so for those of you who are concerned about the tax issues with designating homes as landmarks, this local historic district is the response to that and it is the answer to that.

[3:27:52 PM]

In closing, I just respectfully ask all of you to take into consideration the hard work that this neighborhood has put into this and support this -- this effort by the neighbors that has the vast majority support in our neighborhood. Thank you very much.

>> Mayor Adler: Thank you. Thank you. Is Maureen methour here? Did she come back in.

>> Not.

>> Mayor Adler: What about Kim Reese? Why don't you come on down. After Kim Reese speaks, the next speaker will be Greg Jacobson. Is he here? You will be up next at this podium. Have you time donated from Cynthia vela. Is she here? No? What about Brian berser? Okay. You will have five minutes sir. You will be up next. Please go ahead.

>> Good afternoon. I'm reading a letter from a developer who recently built a condo development in the castle hill historic district and some reflections on his experience. His name is James shoenbam. He says I'm in the process of finning a 11 unit condominium within the castle hill district and bordering the H Earth district. I feel compelled to share an overview of my experience. Development is not only possible in a local historic district, it can be a win-win for the neighbors and developers. Being in the district setting has proven to be a significant benefit for our buyers at the stone wall. A large in fill project that has contemporary aspects but pays tribute to features in the neighborhood such as front porchers and brief lines.

[3:29:55 PM]

After purchasing the property I met with nearby neighbors and representatives of the neighborhood association. Our conversations began even before engaging in pre-development design and consultation. As a result of this early collaboration, the neighborhood and the project were able to agree on an overall design and site plan that offered what I believe has led to a more compatible and desirable development than what would have been pursued had the neighborhood not been given input. While not without its challenges, I firmly believe that a local historic district can help lead to more desirable in fill development and less distrust and fighting between developers and neighbors. Thank you.

>> Mayor Adler: Thank you. Come on up, sir. And then just before you speak, though, the next speaker is going to be Linda Ange los. Is Blackburn benefit gentleman mean here? You will have five minutes. You'll be at this podium. Go ahead, sir.

>> Good afternoon. At the first -- councilmember Casar asked about affordable housing, I think one other council person did as well. I just want to clarify that what you saw up on the board doesn't really address the issues of how affordable housing is. The -- these are statistics about what single-family homes cost. This issue of affordable housing is being turned a bit on its head. It's fairly obvious to me, and I hope it can become obvious to you, that the reason why the nonowner occupants are opposed because they are the ones tasked with providing affordable housing, rental housing. This is a haves trying to protect their territory against the have nots from coming in. And when you start talking about increased dollars per foot in historical areas, regardless how you cut the pie or put the area, it increases costs. If it's going to be increased costs whether it's through ads or multi-family, that's going to drive rents higher for people.

[3:32:01 PM]

You cannot avoid that. Those are just the facts of life. It's this lack of transparency and this unwillingness to really be up front about what's going on that has me the most concerned. I'm supportive of lhds in general, but what you are hearing are not the actual facts. For example, you know, you were just told by the applicant that properties were pulled out because they were not historically contributing. Yet city staff takes issue with that. They are telling thaw they don't agree with those removals. The truth of the matter is the removals were made in order to try to invalidate the petition. We're all grownups here. Those numbers dropped because the properties were taken out. That's what's going on. And I think it calls into question whether the rest of the process has been transparent. If you look back on the record at every level of approval, there have been issues that have arisen that have been glossed over and swept under the rug where there's been lack of transparency. The latest of which is we're here today with new boundaries, with no notice. The proponents were given a 60-day extension or longer, a few months -- I forget how many months we are into this. At the ninth hour with the old materials still up on the city website so if someone is concerned and try to understand the issue, it's incredibly confusing. We have a new map being presented with no notice. That's not transparent. That's how this process was undertaken from the beginning. If you're opposed, you don't get information until the absolute last minute. The dialogue has been amongst the proponents to try to figure out a way to gerrymander and jam the process through. Again, there are plenty of lhds that are fantastic. The Mary street project you approved, very good, but we couldn't take one house out even though the applicants wanted the one house out.

[3:34:01 PM]

Even though the person wanted out would have liked to have been out.

[Buzzer sounding] There has to be some transparent rhyme or reason and I criminal justice you the process be kept clean so we continue to have -- not seen the whole thing thrown out the window because we've been today Patricia us and unfair.

>> Mayor Adler: Mayor pro tem? Sir.

>> Tovo: I just missed his name. The speaker's name.

>> Mayor Adler: Greg jack could Jacobson.

>> I lived adjacent to it until last week. I own property in it and I'm building property in it, which I may or may not wind up living in.

>> Tovo: Within the local historic district?

>> Yeah.

>> Tovo: I'm just not seeing you on the petition.

>> I own the property -- lots of us own property through LLCs we don't occupy. There are reasons for it so to characterize this is not owner-occupied is unfair.

>> Tovo: I wanted to clarify whether you lived within the local historic district and you do not. Okay. Thank you.

>> Mayor Adler: Miss Cangelosi. Is Esperanza torres here? No? And what about -- is anybody else signed up that we haven't called down yet? No? Ms. Cangelosi, you are our last speaker. And was Blackburn Benjamin here? And you donated time. Ms. Cangelosi has five minutes.

[3:36:02 PM]

>> Good afternoon. Linda Cangelosi. I've owned and I live in 606 Oakland, which I purchased in 1979. I have seen -- and before the neighborhood I had friends there and was there visiting and working, for example, to help a friend restore 606 -- excuse me, the Johnson house on six and a half street. We scraped lead-based paint together, no doubt lead based. I know the houses and the neighborhood and this is not a neighborhood under siege that they have described. Everyone who comes up and particularly at the last hearing they said oh, the demolitions, the demolitions. Go back to 2003 and do a demolition search, you will find that no house on high land on east side has been demolished. You will see on highland -- you won't see it from that map, but two vacant lots. And I say lots, but they are not, they are not separate lots. Look at 701 highland, 701, 703 is not a separate L you look at 801 highland and 803, 803 does not exist as a separate lot. Those two vacant lots or spaces have been there in the neighborhood since forever. As far as I know and all the records show they have never been built on. People have tried to build on them. Someone tried to build two additional little houses at 801. They would restore the house on the corner and bill two small houses. 2,000 square foot houses. Not so small. But he needed a variance and it's attractive thing, these three houses would be next to each other with the proper spacing.

[3:38:06 PM]

He needed a variance of a few feet. And every one of the people in favor of this local historic district who were present at that time led a frenzy of opposition to it. And he -- he gave up. The point being that here was a very appropriate single-family infill, not a duplex, not an apartment complex, restoring a so-called historic house that needs restoration. It sits empty, it sat empty for decades I guess rotting. Would have done all of that, but no because it was too high, but he wanted a few feet of height variance. Or it was too something or they wanted him to go in the back but that would affect the tree roots and so forth. They had every reason in the world to be opposed to it. At 703 highland --

[buzzer sounding] Was that seven? I think that was probably only three. What you were entitled to I think was five. So you have an additional two.

>> Okay. I thought I had seven. Okay. 703, nothing is there. 702 highland across the street, that beautiful two story that is correct woman is not here but previously opposed it. Oh, it was terrible. You know, it shouldn't be further development. She will lose her beautiful view perhaps if a building could go there.

So next to it is a four-plex. There's a vacant space. Next to that another two-story building. There is room, there is room, there's land for four-plexes. And there's mf-4 zoning, but not as long as this area is all tied up with compatibility and so forth. And I strongly disagree with the representation that -- that the zoning would -- I mean I don't know what Donna presented about a drawing and cottages or whatever.

[3:40:19 PM]

She down zoned her own property. A deep lot. She down zoned 3. It is so tied up with compatibility requirements and limitation by the neighborhood that those things won't get built with or without the lhd. This is not a neighborhood under siege. Oakland there was one demolition but a nice house was built. It was a shabby thing falling down and that was a true demolition. The rest of it there was a fire, that house was rebuilt. This is not a neighborhood -- these demolitions they talk about do not exist. The changes that have come about have been tiny. And this is endanger of becoming Rainey street. There were a lot of other representations. I just will say one thing about affordability. Affordability does not depend on what is house is worth and whether old houses are worth more or less per square foot than new houses doesn't matter. Affordability is what does it cost to rent or buy into an area.

[Buzzer sounding] This will only decrease affordability in this neighborhood and other neighborhoods need protection. This one does not.

>> Mayor Adler: Thank you. Those were all the speakers. That brings us back up to the dais.

>> Mr. Mayor, I just -- the handout I gave you, I could -- ten seconds.

>> Mayor Adler: No, I'm sorry. Because then I would have to give more time to everybody to speak.

>> Just ask you to listen to the staff's recommendations.

>> Mayor Adler: Thank you. We're back up to the dais. Mayor pro tem.

>> Tovo: Mayor, I would like to move approval on second and third reading.

>> Mayor Adler: Mayor pro tem moves approval on second and third reading of -- of what?

>> Tovo: Thanks for clarifying.

[3:42:20 PM]

Move approval on second and revised map as the applicant has presented.

>> Mayor Adler: The applicant's revised map. Is there a second to that? Mr. Renteria seconds that. Mayor pro tem, do you want to speak to your motion?

>> Tovo: My guess is there might be questions so I'll reserve my comments for later.

>> Mayor Adler: Okay. Discussion on the dais? It's been moved and seconded the applicant's revised map. Mr. Blanche Lincoln.

-- Flannigan.

>> Flannigan: Can staff explain the difference between the applicant's map and the staff-supported one? I think it's the three properties on the western border.

>> That's correct, the three properties on the western side of highland.

>> Flannigan: Why is staff want to go keep those inside the district?

>> As I said before, we don't think it's a best practice to have cutouts mid block, but we don't also -- we still support the district with the proposed boundaries.

>> Flannigan: I see.

>> Mayor Adler: With the applicant's proposed boundaries.

>> With the applicant's proposed boundaries.

>> Flannigan: Just an additional comment, mayor. We see a lot of valid petition situations or we see them from time to time. And, you know, I think it's -- it's important to acknowledge that applicants do have this right. They have the right to change the boundaries at just about any point. And that's true on all zoning cases, it's true on all the cases. And, you know, the council hasn't always said that they like that, but it is something that can be done, and, you know, I have issues with this historic district and some of the characterizations about affordability, but I don't think districts are about affordability.

[3:44:24 PM]

But I think it's important to note in this moment that we have the situation where a valid petition is being invalidated, you know, the day before if you are in my in box, but if you showed up today this is the first time you heard about it and I don't think it will be the last time we see applicants do that, it's part of their right to do, and I think it's something important to note.

>> Mayor Adler: Okay. We've got a motion and second. Further discussion? We ready to vote? Councilmember Casar.

>> Casar: Just as one comment, I appreciate Ms. Carter and others pointing out how the land development code at the time when this was built allowed for more units and flexibility in the single-family context, inc. It's good here and while some folks in the neighborhood may agree or disagree with me, I think it's something we should continue to look for in other places that is, as was mentioned, allowing unit in the attic, allowing more than a couple of units in the back, making the houses more friendly and comfortable to the street. I think that a lot of the -- you know, by voting this in, we will be essentially saying that those sorts of standards, that kind of land development code and building that was prewar is something that we want to allow because currently many of these houses, for example, are sitting on lots significantly smaller than people would be allowed to build anywhere else in the city,

on less than 5750 or allowing people to add a unit in the top. And so I do think that that kind of density near to downtown context is a good thing.

[3:46:25 PM]

So I think if it's good here, it's also good in other places. While others, I respect and understand, might disagree with that. I'm just stating what I think.

>> Mayor Adler: I understand. Mayor pro tem.

>> Tovo: I want to thank all the community members involved in this process, moving forward with a historic district -- preparing a recommendation is very time assuming, as several of you have said, it includes a lot of community engagement, a lot of compromise, and I appreciate all of you who have been involved in this process. I strongly believe that local historic districts are an important tool in our land use code and I'm happy to see this one, I hope, moving forward today. And I would highlight that one of the reasons that those local historic district applications include design standards is because we want those design standards to be context-specific and we want to recognize that the patterns of development and the historic patterns of development in one area of the city may be very different from others, and so when we're recognizing areas for their local -- for their historic -- for their historic significance, we are -- we are not necessarily saying that this pattern of development belongs everywhere. One of the real values, I believe, of the local historic district that it observance and celebrates the context. So, again, thank you all for the work that you've done on this.

>> Mayor Adler: Further discussion? Take a vote. Those in favor of the motion to approve the -- yes.

>> And close the public hearing.

>> Mayor Adler: And close the public hearing. To approve it on second and third reading and close the public reading, the applicants submittal those in favor, please raise your hand. Those opposed? Councilmember Garza voting no, the others voting aye, Mr. Garza and Flannigan voting no, troxclair voting no, the others voting aye, passes 8-3.

[3:48:35 PM]

Okay? Let's go on to the next item.

[Applause] All right. Let's do item number 46. Okay. You're saying don't do 46? Don't do 46. All right. Let's -- we can't do 47, 48, 49, that gets us to take chapter 380 agreement, so 56, 57, and 58. The councilmember moved off the dais. We're going to come back to the historic home. Let's go to the chapter 380 agreement. Is staff here? Running in from the back? Okay. We'll see who gets here first. What we have left, councilmembers, is that historic home issue, we have three public hearings we can't call until 4:00 -- four public hearings we can't call until 4:00. We have the city's budget and tax rate

public hearing, and we have this chapter 380 agreement issue. That's what we have for the balance of the day.

[3:50:38 PM]

So come on down, chapter 380 agreement we've called. Let's go.

>> David with economic development. Thank you for calling up our item. We issued a memo yesterday evening, late afternoon, which provides a memo chart of the motion language we've seen over the course of the past two to three weeks, since providing the updated information on August 1st.

-- on August 9th. If you have a copy of those charts, we could go through each. I think there's a number of items on which we concur.

>> Mayor Adler: The items we have that seem to be in concurrence are items 1, 4, 5, 6, 8, 12, and 17. Is that correct?

>> Correct.

>> Mayor Adler: Okay. Does anybody have any objection to those items? Councilmember pool?

>> Pool: And, mayor, I think one of them that I had brought that staff partially concurred on -- this is the one I wanted a public hearing and as long as it's not on consent, there would be an opportunity for speakers to speak on continuation. I appreciated staff's working with my staff to kind of got to that good sweet spot. That item -- which number was that one?

>> Number 13.

>> Pool: 13 can also be on, concur.

>> Mayor Adler: So you're now concurring with the staff recommendation on item 13.

>> Pool: That's correct. And I thank them for their assistance on that.

>> Mayor Adler: Let me do this again. My understanding is that there's an agreement as to certain items we can make part of the base motions on this one of them is councilmember alter's amendment number 1.

[3:52:42 PM]

Is that correct, David?

>> Correct.

>> Mayor Adler: One of them is councilmember Casar's amendments 4, 5, and 6.>> That's correct.

>> Mayor Adler: Another one is councilmember Garza's item number 8. Is that correct?

>> Correct.

>> Mayor Adler: Okay. Then I also have councilmember pool's number 10.

>> Correct.

>> Mayor Adler: All right. And all those are --

>> As well as mayor pro tem tovo's 17.

>> Mayor Adler: The ones I've listed so far are the language as proposed by the councilmember. Is that correct?

>> Correct. And number 17 by mayor pro tem tovo.

>> Mayor Adler: I haven't gotten there yet. Sorry. Hang on just a second, David.

>> Okay.

>> Mayor Adler: 1, 4, 5, 6, and 8, and 10, not yet on 9. There are some amendments were taken the way the councilmembers proposed the amendments. I see those being number 1, number 4, number 5, number 6, number 8, number 10, number 12, which was councilmember pool's, and councilmember -- and number 17, the mayor pro tem's.

>> Pool: And then also --

>> Mayor Adler: But that's not the way you proposed it, that's the way staff proposed it?

>> Pool: Yes.

>> Mayor Adler: Just trying to keep track here. We have several that were as proposed by the councilmember that seem to be in agreement, and it's numbers 1, 4, 5, 6, 8, 10, 12, and 17. Is that correct? All right. Any objection to those being made part of the base motion? Hearing none, those amendments are included.

[3:54:44 PM]

I think there might also be some amendments that you have proposed where there's agreement.

>> That is correct.

>> Mayor Adler: This is the staff changed to something. Let's identify that list. Okay?

>> Okay.

>> Mayor Adler: Which ones are those?

>> I believe number 7 by councilmember Casar. We agreed with replacing hard to employee with targeted hiring and then we further defined targeted hiring, removing previous language.

>> Mayor Adler: Okay. And that's fine. Okay? Without objection, that will now be made part of the base motion. Okay?

>> Next item, number 9 from councilmember Garza requesting that staff strengthen support for the manufacturing entity, and we've included a bonus item for manufacturing companies in category 1 and category 3 of the business expansion program.

>> Mayor Adler: Okay. Any objection to that being included in the base motion? Hearing none, that's included. Okay.

>> The next item number 11 --

>> Mayor Adler: Now, on that one, there was -- that does not include any language being offered at this point to geographically locate them. Is that correct? That's not part of the base motion.

>> Correct.

>> Mayor Adler: Got it. Continue on.

>> Garza: I will be making --

>> Mayor Adler: Got it. I want to make sure I'm following and being clear. What's the next one?

>> Number 11 from councilmember pool.

>> Mayor Adler: Okay.

>> Staff is adding additional language in the policy and in the program guidelines to clarify the reassessment period on the five-year mark.

>> Mayor Adler: Okay. And that's fine, so that's included in the base motion. No objection? It's included. Okay?

>> Item number 14 from mayor pro tem tovo, staff is looking to include language that will have parties entering into agreement with non-discrimination and antiharassment practices.

[3:56:48 PM]

>> Mayor Adler: Okay. And that's fine, included in the base motion to staff's language on 14. Okay. 15 is also okay with staff proposed language? Okay. Staff's language on 15 is included in the base motion.

>> Tovo: 16, fine.

>> Mayor Adler: 16, no objection, staff's language will be included in the base motion, so 16 also.

>> Kitchen: Mr. Mayor? There was one that I had brought forward that is not here. I think it inadvertently got taken off, and that's the one related --

>> Mayor Adler: So I understand, did we now get all the ones where staff has proposed language and they are included in the base motion?

>> Pool: Number 13 where staff had --

>> Correct.

>> Mayor Adler: So number 13 should also be included in that so staff's language in 13 is included --

>> Kitchen: But it was language they agreed to --

>> Mayor Adler: Hang on a second. Number 13 is also included. Okay. What about 18 and 19?

>> 18 and 19 provided by staff were clarifying which resolutions apply in the resolution moving forward. You can see four resolutions pointed out here, maintaining --

>> Mayor Adler: Is there anything objection to including items 18 and 19 in the base motion?

>> Kitchen: And I have question about 19.

>> Mayor Adler: Okay. So let's include 18 in the base motion. Okay. Is there anything else or language that you're offering that you think is, David, is agreed?

>> Kitchen: Mr. Mayor, if I could speak to mine, this is language you all had agreed to before. It goes to 58, the locational enhancement. I had asked for a date to return.

>> Okay.

>> Kitchen: And I think that the language that you all had agreed to was -- I don't have it in front of me, but it was like a report back to us. Do you --

>> In December.

[3:58:49 PM]

>> Kitchen: Do you remember what I'm talking about?

>> Yes, councilmember.

>> Kitchen: Yeah. I wanted to include that sentence and I don't remember exactly what you had proposed but something to the effect that the city manager shall report back to council by December --

>> Of 2018.

>> Kitchen: Of 2018. Is that -- I think that's the language you all proposed. Right?

>> Yes.

>> Kitchen: Okay. And that would go into part 4 of the ordinance under item 58, the locational enhancement program.

>> Have had.

>> Mayor Adler: Any objection to that amendment being included? Hearing none, that one is included. Okay. So looking at the chart --

>> Alter: There's one more.

>> Mayor Adler: Go ahead.

>> Alter: So for my amendment yob 2, I'm fine with the staff's language. That's what legal recommended in terms of the changes for --

>> Mayor Adler: Okay. Alter number 2 is okay with the staff language.

>> Correct.

>> Mayor Adler: Okay. So let me go through this and make sure I understand and make sure that we all have. Item number 1 is included in the base motion as the language from councilmember alter. Number 2 is included in the pace base motion, the language from staff, the amendment language as tweaked by staff. Item number 4 is the language, goes in with the language from Mr. Casar. Number 5, language from Mr. Casar, number 6, language from Mr. Casar. Item number 7, it's the staff's tweaked language of the amendment goes in. Item number 8 goes in as proposed by councilmember Garza. Item number 9, it's the staff tweaked language on number 9. Item number 10 is councilmember pool's language. Item number 11 is the staff tweaked language, councilmember pool. Item number 12 goes in as councilmember pool had proposed. Item number 13 and that goes in with the staff tweaked language on the amendment. Item number 14 goes in with the staff tweaked language on the amendment. Item number 15, the staff tweaked language on the amendment. Item number 16, the staff tweaked language on the amendment.

[4:00:50 PM]

Item number 17 goes in with the mayor pro tem's language. Item number 18 and 19 go in. Those are the staff language --

>> Kitchen: No, remember, I had --

>> Mayor Adler: 18 goes in with the staff's tweaked language, then we added the kitchen amendment that was done from the dais just a moment ago as councilmember kitchen described and confirmed by David. Do I have that right? All right. So I think then before us to consider then, we have -- what's left? Item number 3 we need to discuss? Item number 19. Those are the only two that seem to be ones we need to discuss? Good job. Okay. Before we discuss item number 3 and item number 19, do we want to hear from the people in the public who have signed up to speak? Okay. Let's go ahead and do not. Okay. I'm going to call testimony on all these at the same time, 56, 57, and 58. You can speak to them. Let's begin with David quarino. And then tomorrow -- Tamara Atkinson. Is Tamara here? You'll speak at this other podium. You have three minutes.

>> Thank you. Good afternoon, mayor Adler, members of the city council, and city manager cronk. I'm David, all faith leader from all saints episcopal church.

[4:02:50 PM]

I'm with coalition, 37 member organizations from around Austin. I'm here to advocate for inclusion of living wage provisions in the city's proposed replacement for its current economic incentive program, commonly known as the 380 agreements. We commend city council members and the mayor for meeting with us to discuss our concerns and for broad-based support expressed for the employees, businesses large and small that are to receive future tax benefits or incentives from the city of Austin. It is the understanding of Austin interfaith that \$15 an hour living wage standard will function as a floor for wage considerations for firms that choose to participate in the revised 380 program. We urge the council to adopt the standard for participation in the 380 program. We also express our gratitude to city manager Spencer Cronk for proposing the \$15 standard as well for city employees and contractors as part of the city budget. We think these are very Progressive things to do and setting a very good example for the community as a whole. Austin interfaith has appreciated the willingness of the city to work with us over the past several years to raise the living wage for our public employees now to the \$15 an hour level, a goal long sought in many jurisdictions across the country, as well as here. We appreciate the city's past willingness to incorporate the living wage standard into the existing 380 policy and it is our earnest hope that you will carry the \$15 an hour standard forward into the newly revised policy when you vote today. Austin interfaith is supportive of the amendment language proposed by councilmember Greg Casar that will protect the wage standard as a wage floor in the revised policy. The amendment has the additional goal of offering additional scoring points to smaller businesses that participate in the program while committing to meet the living wage requirements as well. We look forward to seeing the city of Austin set a fine example for the nation by adopting a living wage standard for its employees, its contractors, and for its economic incentive recipients.

[4:04:57 PM]

Austin is moving in the 21st century today by promoting the idea that working people deserve to make a dignified living from their labor. Thank you all for your consideration.

>> Mayor Adler: Thank you. Is Jerry Davis here? No? What about Tracy Berry? What about Jennifer Tucker? What about Kevin Brackmir in here you'll speak at this podium. You have three minutes. You have three minutes.

>> Good afternoon, mayor, mayor pro tem, councilmembers, and city manager, my name is Tamara Atkinson. I serve as CEO, capital area workforce development board. Many of you know me with my work, together we are working to place 10,000 people who are at or below poverty into middle skill jobs. We have an unemployment rate of 2.9%, lower than Texas or the United States, so today I'm here to describe to you who is looking for work in this current environment and why I believe that the chapter 380 program aligns with our workforce plan. Between October 2017 and July 2018, over ten months, workforce solutions as provided nearly 2000 people with job-seeking services. Compared to the

overall Austin population, the people we are serving are mostly women, single parents, and minorities. In total, 67% of our clients disclosed having a disability, being a single parent, being a foster child, homeless, a former offender, a veteran, or receiving public benefits. In short, workforce solutions serves as this community's safety net system for those who are seeking jobs but having difficulty obtaining those jobs on their own.

[4:07:02 PM]

The city's economic development business expansion program, chapter 380, aligns well with the needs of our clients and the master community workforce plan. In particular, the emphasis of category 2 on those who are targeted for hiring with socioeconomic barriers reflects our client's -- our clientele's demographics. Workforce solutions has found that for many of our clients, the most difficult part of finding a job is getting employers to see past their barriers and see them for their true talents. The chapter 380 program is about incentivizing entry to jobs for individuals such as workforce solutions serves. Workforce solutions is striving every day to close the talent gap in our community. However, it is essential that we have businesses that are willing to work with us. The proposed chapter 380 proposal aligns with our agency's goals and supports getting our clients onto pathways to careers as envisioned under the master community workforce plan. Thank you.

>> Mayor Adler: Thank you. Is John Woodley here? Mr. Woodley. Go ahead, sir. You have three minutes.

>> Good afternoon, mayor Adler, mayor pro tem, members of the city council. My name is Kevin Brackmire, I'm executive director at Skill Point Alliance. It's a 501c 3 who has served as a workforce training provider since 1994, focused primarily on providing inclusive skill trades and health care training in central Texas. Our mission is to transform lives to ensure the individuals have the right tools to enter middle skilled jobs. Like Tamara said before me, we are also working collaboratively with workforce solutions and other community to place 10,000 people who live at or below the 10% poverty into middle skills jobs by 2021.

[4:09:06 PM]

I'm here to talk about how we at Skill Point also believe that the chapter 380 program significantly aligns with not only the community master workforce plan but also with the important work that we as Skill Point Alliance are implementing here in our community. Since January of 2017 through today, Skill Point has provided approximately 343 individuals with middle skill training of whom 88% have graduated from one or more of our programs. Of that number served, nearly every individual falls into one of the following categories of being either an ex offender, attested to homelessness, was a veteran, single parent, receiving public benefits, or even considered opportunity youth. Skill Point Alliance works tirelessly to serve the community to eliminate socioeconomic barriers. Having said that it is our belief that the city's economic development plan, chapter 380, and specifically category 2, clearly aligns with the work we do here in central Texas, providing incentives that we believe would be

instrumental in encouraging employers to collaborate, we believe will create entry level pathways for hard to employ populations that could ultimately lead to higher paying middle skill jobs. Skill point is committed to working together with the city of Austin and workforce solutions as well as other community partners to help close the skills and talent gap here in our community, and we believe that the proposed chapter 380 program will definitely be a catalyst to help individuals transform their lives and embark upon a middle skill pathway. Thank you.

>> Mayor Adler: Thank you. Before Mr. Woodley speaks, is Bob batlin here? Why don't you come on down to this podium. Mr. Woodley, you have three minutes.

>> Hello. I'm John Woodley, I'm an advocate for disability access, and I'm speaking on this economic development chapter 380 policy because there have been some concerns in the disability community.

[4:11:17 PM]

People with disabilities, seniors, veterans, are all in a protected class and I want to make sure they have equal access to any programs, benefits, services that the city of Austin provides through an incentive to to city, I want to make sure there's a policy in place to ensure people with disabilities, especially those that historically have been underserved and employment to have a policy in place to employ these individuals and to allow them to fully participate in the livable wages program. I would like to see part of the policy to require companies that hire and retain employees -- retain employees to assist and learn about people with disabilities, and to allow them to be employed in a job they can enjoy. Thank you.

>> Mayor Adler: Thank you very much. Before Mr. Batlin speaks, is Brooke hofield here? Why don't you come on down and you'll be at the other podium. Mr. Batlin, you have three minutes.

>> Mayor, mayor pro tem, councilmembers and city manager, I am Bob batlin and I'm not speaking on behalf of any group. As you know, I've been a long-time supporter of raising living wage and expanding the scope of situations where it applies. However, my ultimate goal is to lift people way above that standard and don't want to harm people's career possibilities in the very instance we might misapply that tool. As you also know, the area demand for middle skilled jobs exceeds the supply of trained people to fulfill them. Workforce developmental organizations are working hard to supply that trained workforce. Paid internships are an integral part of successful programs. The businesses that offer internships have been impressed, and frankly surprised, with the quality of life of interns they hired.

[4:13:24 PM]

The interns that position themselves to qualify for middle skilled jobs that command wages much higher than the city living wage. The problem is convincing businesses to participate. In general, businesses are concerned with the cost of managing the interns, wage rates, and perceived quality risks. Incentives may help us overcome those concerns and allow us to better scale. Currently, a typical I.T. Intern works 15 to 19 hours per week at a pay rate of 12 to \$13 per hour, while carrying a full academic course load. For

people currently in poverty, scholarships for tuition, books, and fees are available. For those completing the program, average starting salary is about \$20 an hour, and history shows their salaries go up markedly from that point. The base economic development department category 2 proposal demands a wage floor of \$12 an hour. That rate applies for interns only. That is reasonable for this narrow purpose, and I would also assert that the living wage should apply for all others. Please make sure that wage and hour requirements for category two incentives allow us to successfully use that tool to recruit businesses to offer internships with a goal of fulfilling workforce needs and lifting families out of poverty. Thank you.

>> Mayor Adler: Thank you. Before Ms. Hofield speaks, is Lauren Dugkin here? Okay. Ms. Hofield.

>> Good afternoon. Good afternoon. My name -- good afternoon, Mayor Adler, Mayor Pro Tem, and -- Mayor Pro Tem Tovo and Council, my name is Brooke Hofield, I'm here with Texas Advocates.

[4:15:35 PM]

Texas Advocates is a statewide self-advocacy organization that serves adults with intellectual and developmental disabilities. I am here to speak to you today with two hats, one as a self-advocate with a disability, and the other as the project coordinator for Texas Advocates. I came to Austin two years ago to go to work for Texas Advocates. I help run a nonprofit for adults with disabilities. As an adult with a disability myself, I can relate to the people that I work with in a way that a person who is able-bodied can't. I do lots of high-level work such as event planning and organizing advocates to attend meetings in the community, among other things. I make a living wage and rely on every little bit of my paycheck every month to pay rent, buy food, and be a part of the community, by attending being community events throughout the year. I do not live -- if I did not make a living wage, I fear I would have to live out of the city and would not be able to perform my job duties fully. Texas Advocates would not support a plan that differentiates pay levels of people with disabilities and people without, but support -- but support projects that help people with disabilities get jobs with real pay that is inclusive and individualized. I would like to leave my business card and would be happy to work with any of you in the future on this. Thank you for your time.

>> Mayor Adler: Thank you very much. Before Ms. Gurkin starts, is Joey Gidsin here? Come on down.

>> Good afternoon, and thank you for seeking entitlement for the disabled community and feedback

[4:17:41 PM]

[indiscernible] I'm here to promote and protect the rights of people who have developmental disabilities. I want to say that Chapter 380 has potential to open that door for small businesses to hire people with intellectual and developmental disabilities, which is a wonderful [indiscernible] People with disabilities.

[Indiscernible] We need quality of wages that are going to happen, so I ask you to keep me and the disabled community in mind as you proceed with the policy and promoting wages for equal work is important. I encourage you at any point to reach out to the team to help you on disabilities and how important it is to people with disabilities to be in the community and be in our small businesses. So if you have any questions, please reach out. Thank you so much.

>> Mayor Adler: Thank you. Thank you. Is Mary Elizabeth here? You'll be at this podium.

>> So good afternoon, mayor Adler, councilmembers, thank you for the opportunity to be here today.

[4:19:43 PM]

My name is Joey and I'm here as the president for Texas Democrats with disabilities and also councilmember pool's appointment on the mayor's committee for people with disabilities. So I am here to speak about how people with disabilities will be considered under the chapter 380 policy. When I heard city manager Cronk's announcement about \$15 an hour at the mac, I was just as excited as everybody else of the so so imagine my surprise just a few days later when I saw the work session August 7th and I heard people with disabilities described as a productivity problem. And then I heard this being used as a reason for why we should be paid less than everyone else under this program. That's unacceptable and that's discrimination, and I am against discrimination in any form against any group. I'm here speaking later for Austin justice coalition, any form, any group, it's wrong, and you all should know that. And thank you, Kathie Tovo, because I know you were advocating for the floor of \$15 without any exception for any group, and I really think it needs to be that. Go back to that. If you want to have this median wage for -- within the MSA because you're worried that they won't be able to have people -- they want to pay them more, you don't need to worry about that. You really need to worry about the people who are the most vulnerable and the most marginalized. Those who you should really be trying to help under this program. So my suggestions, before you vote on this, go back to \$15 as a floor. Go back to requiring that all eight of those requirements that they meet them. I don't know why you're voting for this when suddenly they no longer have to meet all eight of these things. Some of you, I campaigned for as a volunteer, and I'm really, really disappointed when I hear people like councilmember Alter advocating -- not advocating, no, just echoing the sentiment from economic development -- thanks, y'all -- that we are a productivity problem.

[4:21:56 PM]

Because of our problem with productivity, you're going to have your staff look into it. I haven't looked at any of these amendments yet. I haven't had a chance. I'm going to. But do I have time to do that before you vote on this? We had a meeting with economic development recently, we had a good conversation. This is on the agenda for the mayor's committee September -- early September. Early September. And so I really think they did not bring this up, this exception, in October of last year when they spoke to us, and since this will only impact people with disabilities, this really needs to come before the committee

of people with disabilities and so we can have a conversation with them and tell them how this will impact us because that hasn't happened yet. They did not tell us about this.

[Buzzer sounding]

>> Thank you.

>> Mayor Adler: Thank you very much.

[Applause]

>> Mayor Adler: The last speaker that I have shown is Mary Elizabeth. If anybody else has shown up, let me know, but Ms. Elizabeth, I think you're the last speaker for three minutes.

>> Hi. My name is Mary M. Elizabeth, and good afternoon, council. I'd like to echo some of what Joey said. I was also really excited when the \$15 minimum wage was approved, and then I hear that, well, yeah, \$15 minimum wage for everybody but disabled people. What? That's discrimination, that's wrong, it makes no sense, that's not Progressive. I read a little bit of the transcript of one of the work sessions about this. I have to say it was very tedious reading for me and I'm not very good at it and it cease like a lot of hair-splitting about how not to give disabled people the \$15 minimum wage. I apologize if I completely misinterpreted that, but that's how it sounded to me. I know disabled people who are -- who do excellent work.

[4:24:00 PM]

They are not hired to do things for jobs where their disability interferes. One example is a man who worked at the abuse hotline who was in a wheelchair. The job did not require walking in any way at all. He was very good at what he did, using a computer, answering the phone, dealing with upset callers. And I can give you more examples of these kinds of people. I feel like if you're trying to placate businesses who aren't really willing to hire the disabled at \$15 an hour, that's what it seems like to me, that that's what's going on or that's what's being considered. I don't like it. And I guess I'll just keep it at that. Thank you very much.

>> Mayor Adler: Thank you. Those are all the speakers.

[Applause]

>> Mayor Adler: -- We have, so we're now back up to the dais on items 56, 57, and 58. We have two amendments that we need to discuss and consider. The first one of those is councilmember Casar's item number 3. Up to make a motion?

>> Casar: Yeah, mayor, I'd like to move my amendment number 3 and add some clarifying language that I think has been what everybody has understood, but I just want to add it to my amendment to make it extremely clear that this requirement applies in addition to and not as a substitute for the requirement for firms to provide wages above the industry median wage, that is the \$15 an hour requirement would apply across the board, and if a firm's median wage as was listed in work session, trucking, is higher than \$15, that requirement to provide that higher wage does not go away because of my amendment.

>> Mayor Adler: Doesn't create a new floor.

>> Correct.

[4:26:04 PM]

And I'll speak to that.

>> Mayor Adler: Is there a second? Councilmember Renteria seconds. Mr. Casar, you can address it.

>> Casar: This is what I think a good handful of folks spoke about today, being the advocates for people with disabilities and beyond to set a \$15 an hour wage floor across all of the business expansion requirements and make it a non-waivable requirement. That I think that is what makes sense as we pilot this program in different contexts, and I think folks, be they formerly incarcerated, folks with disabilities, getting those folks, incentivizing those firms that pay everybody, including folks in those categories at \$15 an hour, I think should be what we're focused on, so that's what this requirement would do for this program. And I do hear folks like Mr. Batlin who are saying, well, maybe internships or other tailored moments we would want to make exceptions. I think that for starting out, setting that -- setting the \$15 wage floor makes the most sense, and after the program has been around, if we want to tailor it further such that -- if we see there are missed opportunities and want to tailor it further, I think we can go from there, but what we might find is that there's enough companies that want to hire interns right in that \$15 an hour that whatever we budget actually works out just fine. So I would rather in the first year set the expectation at \$15 an hour as the minimum for everyone, and then see how that works at that point.

>> Mayor Adler: Okay. Further discussion on the dais? We have an amendment in front of us.

>> Casar: Oh, and mayor, I would want -- as you had mentioned, I think as people see how this goes, I would want especially some of the advocates that spoke today, especially on folks behalf of people with disabilities to be involved in that process. But if this amendment passes, I think it would address the concerns that were raised today.

>> Mayor Adler: Okay. Councilmember Houston.

[4:28:05 PM]

>> Houston: Yes, mayor, and we might have discussed this already, but I'd like to ask staff, what kind of data do you keep, will we be getting back regarding gender, age, ethnicity, differing abilities, with how many people were hired in these categories?

>> David Colligan with economic development. We don't have some of that information on hand. We can work with our existing workforce development contract providers to see if they can offer some of that additional demographic information on the contracts that we currently have. I think that it will be --

we can try our best to get information for things that we were not able to connect with during this period of time, but I'm not sure we'll be able to provide that information for what we were not able to connect with or what opportunities we were not able to realize during that time.

>> Houston: But I think that it's important as we move forward with these 380 agreements that we begin to collect the kind of data regarding the opportunities for people in the various categories.

>> Absolutely.

>> Houston: And so if we have a \$15 floor for individuals with different abilities, then at the end of a certain time period, it would be helpful to know how many of those individuals have been hired so that we know whether or not the program is working for them.

>> Mayor Adler: I'm going to support the Casar amendment as he offers it here today. I just think that as we adopt a new policy, we should be clear and unambiguous with respect to our values associated with the living wage floor, so I'm going to support it. I am mindful of the arguments from Mr. Batlin and others that we may be missing opportunities that ultimately will get people to a living wage more quickly than they would otherwise get there or get them there.

[4:30:08 PM]

We don't know whether that's actually, in effect, how this would be applied. We don't know if they're really going to miss those opportunities. So I think it would be really important for us to watch and to assess whether we're missing those opportunities and whether we should get them. But if I'm going to err on one side or another to have an exception we don't need or on the side of one we do need, I'm going to err on the side of being clear to support the amendment as written. Further conversation from the dais, Mr. Flannigan, then councilmember kitchen.

>> Flannigan: Thank you, mayor, you said much of what was in my head on this as well. I'll going to support this amendment. You know, I've been asking for examples of where this amendment causes a problem, where this solid living wage floor causes a problem and I have yet to see any. I have yet to have been given any. And if there are folks in the community that think this is going to be problematic for economic development, they better be really clear about where that example is. And until I see those examples, I see no reason that we shouldn't be holding firm to this living wage requirement.

>> Mayor Adler: Further discussion? Councilmember kitchen.

>> Kitchen: I just want to do clarify. So, councilmember Casar, I'm reading your amendment as the floor, but the other language that's in here about paying at a rate above the median hourly wage, if that's higher, then they have to pay the higher amount. Do I understand correctly?

>> Casar: Correct. That was the understanding even with the existing language but just to put suspenders with a belt, we have extra language saying this requirement applies in addition to and not as a substitute for the requirement you just read.

>> Kitchen: Okay. Because there's also language in here about allowing some of the -- allowing some of these other eligibility requirements to be -- to supersede so I'm glad you're clarifying that. So -- I also wanted to say that, you know, from my perspective, you know, I just don't think that there's ever a situation in which going before -- going below that 15 -- that minimum is appropriate.

[4:32:22 PM]

And the reason I don't think that is because we can always say it's easier to create jobs if we pay people less. That's really -- we don't want to go down that road. We have to set a minimum, and that's the standard. And so that's where I stand, and I -- I'm really not open to someone saying that we could create more opportunities or that there might be more jobs if we pay people less. That's really not the point. The point is that we have standard in our community and we need to recognize the work that people provide and pay them for the work that they provide.

[Applause]

>> Pool: Yeah, thanks, and thanks to councilmember Casar for bringing a change to the language. I was concerned over some of the conversation we had in the work session that sounded like we were going to vary from the policy that we had already passed that we were going to insist on a \$15 wage floor for all contracts coming from the city. And so I really appreciate the extra efforts that have been put in by our community and especially our interfaith folks and members of our community of people who have disabilities. Thank you so much for coming here today. Some of the presentations were really quite remarkable and very impressive. And thanks again for bringing the changed language. I appreciate that.

>> Mayor Adler: Councilmember Casar has an amendment, it's been seconded. Mayor pro tem?

>> Tovo: Just very quickly, I really do appreciate the community members who weighed in after our work session. As I indicated at that time, I didn't support making an exception to the \$15 an hour floor, and I appreciate those community members who helped us arrive at that final position, so -- and of course thanks to our staff for all the good work on this.

>> Mayor Adler: Any further discussion? Let's take a vote. Those in favor of the amendment, please raise your hand. Those opposed? Troxclair voting no, the others voting aye. Councilmember alter is off the dais. That amendment passes.

[4:34:25 PM]

That gets us then to number 19. Councilmember Kitchen, I think you had concern with number 19?

>> Kitchen: Yes. I just -- I have a question. And I apologize if I've missed discussions about it before, but I'm wanting to just understand, this is the first time I've seen this amendment, and again, I apologize if I missed it, but if I'm understanding correctly, it's suggesting that the minority women-owned business requirements would not apply to category 2 and I just need to understand what the thinking is there.

>> That is correct. Category 2, we are looking at job creation instead of investment that is being incentivized, so in the mwbe requirements do not exist for that program, although we will be seeking or encouraging participation in that program.

>> Kitchen: Okay. You're going to have to explain that a little bit more.

>> Sure.

>> Kitchen: So explain to me the difference in why it would not apply in this program and it would apply in other programs and how it applies.

>> Sure. In the other portions of the business expansion program, we are looking at investments and we are rewarding the investment that is being created by a particular project, as well as jobs and community benefits. In category 2, we are specifically looking at the jobs that are being created for those within the targeted hiring population. We will not be scoring any investment. There may not be any investment on site, so we will be looking at not having mbe WBE requirements as part of that. However, we will work with the company so they are doing any spending, we will look to connect them with local services for the spending for the program, which is something we currently do through another facet of the chapter 380 program for creative industries so we would like to mirror that process.

[4:36:32 PM]

>> Kitchen: So if I'm understanding correctly, for category 2, we're not investing in the sense that we're not incenting any kind of purchase, it's just the jobs. But in the other categories, we are.

>> Correct.

>> Kitchen: So we're working with a company that involves some sort of purchase that we're continuing our minority and women-owned business requirements.

>> In category 2, if they were to invest or create more than 75 jobs, just like our other categories, we will expect that they participate in the mbe WBE ordinance.

>> Kitchen: So why do we have that cutoff?

>> It's a large scale project where if you were going to be creating 75-plus jobs, we do believe that there will be some type of construction in place. So we will be looking to make sure that if there is, in fact, construction and if there are, in fact, purchases taking place, that we are connecting it to the programs that we have internally.

>> Kitchen: Okay. So then I'm not sure where we're waiving it because it sound to me like the criteria that you're looking for is whether or not there's purchases, not whether or not it's category 2. Right? Because did I just hear you -- maybe I didn't understand, but I thought you said that in category 2, you might have them creating a large number of jobs and thinking that in that circumstance, there's most likely going to be, you know, some purchasing involved. Well, why would you not just not waive it at this point but tie your criteria to -- because what you have here is waiving for category 2, not -- not tying the

requirement to whether or not it applies because there's purchasing involved. Do you understand what I'm asking?

>> I do.

>> Kitchen: Am I clear?

>> We're looking to waive the program as we have in the past because I think that a 75-plus job type of project is as

--aspirational, but not what we intend to work with on this program.

[4:38:39 PM]

If we have that size of project, we would look to our other programs to better interact with it. If it is something that is capital-intensive, that I think we would look to incentivize or measure that project through a category 1 or a category 3 type of expansion.

>> Kitchen: Well, I'm sorry, so for a medium size, you know, 25 to 50 or some other -- like that, you would be waiving it even though -- even if it has some purchasing involved. Is that what you're saying? So you're basically tying -- you're tying the decision about whether or not -- I mean, your amendment ties the decision about whether or not to waive to the category, not to the size, whereas what you're thinking is that the size might have an impact on whether or not there's purchasing. I mean, I can see -- I can certainly see that you wouldn't apply the minority and women-owned business in a situation where you don't have purchasing, I mean, it just doesn't apply, so I'm not sure why you would waive it for category 2.

>> Waiving this is -- well, we see this as not the intent of category 2 where we will not have heavy investment. And so if, in the event we are going to be looking at a heavy investment project, I think it would be better addressed through category 1 or 3.

>> Kitchen: So you're saying you most likely won't have anybody in category 2 that's purchasing.

>> Correct.

>> Kitchen: But you might. Is that what I'm hearing? It could happen but you don't anticipate it.

>> We do not anticipate it at this time.

>> Kitchen: All right. Thank you. I personally prefer not to waive it because if you're in a situation where you have it in category 2, where there's a purchasing and for some reason you leave it there, I think it's appropriate to keep the minority and women-owned business as applicable, so...

[4:40:44 PM]

>> Mayor Adler: Okay. Further discussion on this item number 19? Someone want to move the adoption? Fill Flannigan makes that motion. Is there a second to that motion? Second to the motion on 19? I'll second it so it's in front of us. Is there any amendment to be made to it? With respect to councilmember kitchen's deal, the question is why would we waive that for that? Is it incidental? I can't tell from what you're saying, and if it's not incidental, does it go into categories 1 and 3? Are you trying to not apply it where otherwise it would be incidental or de minimis? I mean, if that's the case, if that's what category 2s are, that makes sense. If it's something else, then help us understand what it is.

>> I just got tapped to try to -- to make some clarity out of this. The thinking really was that in category 2, we are not, as you said, councilmember kitchen, we are not focusing purchasing. They are actually economic development efforts, really focused on the hiring side of the equation, and as we understand it, the goal behind the mbe -- I'm going to say that wrong -- minority and women-owned business program is really focused on purchases made by the company and encourage that kind of contracting. So I can't tell you exactly the right form in which to express that, but the thinking was, in category 2, that that wasn't going to be going on or as you said, mayor, it would be incidental, so, therefore, it shouldn't be baked in as a hard requirement when you weren't going to have that type of activity.

[4:42:57 PM]

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Okay. I guess I'm thinking there's no need to waive it because it applies -- I mean the language is written into the minority and women-owned business program about when it applies, so -- and if there was no purchasing for it to apply to, then it wouldn't apply.

>> I'm now over my skis in terms of exactly how it should be done, I have to be honest. I know what the goal was. I defer to legal and everybody else. That was the goal.

>> Kitchen: I'm not trying to be difficult, you know, I'm just very reluctant to waive minority and women-owned business requirements, that's why I'm really trying to understand what we're talking about.

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: So with category 2, maybe this is a question for David or Rebecca, but with category 2, how are we measuring success and/or compliance? Because if the success and compliance of category 2 is just about the hiring, then there's no mbe component to measure, so maybe kitchen kitchen's point is valid because we're not measuring it. That wasn't really a question, that was a statement, but if you want to address --

>> Sure. You're correct, we won't be measuring it but we also will not be including it into the agreement for compliance because of -- it is such a small size project.

>> Flannigan: So would it be helpful to, instead of waiving it, to note in the policy that mwbe applies where purchasing is being incentivized?

>> Assist director for small minority businesses resource department. I think typically when we do something like that, it would be appropriate to do that and encourage the use of mbes and wbes when purchases do occur. When we see something mandated such as our mbe/wbe ordinance, we typically have goals assigned to those projects either for design of a facility or construction of a facility. So I think if we encourage the use of our ordinance and be mbe, and wbes that are available in whatever purchase categories come up in those categories, I think that would work.

[4:45:06 PM]

>> So I don't have language ready to go on this, but I think the answer, instead of waiving, which is problematic, I think, for the dais to waive requirements, but to be clear about where they apply, and in this case it doesn't sound like it applies, category 2, because we are not providing an incentive on the purchasing side, we're only providing an incentive on the hiring side, there's no mwbe when you're hiring folks, so is there a way to flip this around where the intent is accomplished?

>> Well, the rules of the program say that we will be encouraging participation in the program, and so by having a waiver in place, it would remove us from the compliance portion of this, but we are still working with the company to encourage their participation with snbr systems to achieve this.

>> Flannigan: How do you measure "Encouraging"?

>> We typically look for spending that will be taking place, we provide the list of purchases that would be provided through that particular type of project, and then we work with smbr to draw a list of vendors that are within their database and make that connection between the company and the smaller companies. We then ask the company to then show us some of those connection points as well. But they aren't provided goals in which they must meet specifically to be able to be a part of that mbe/wbe compliance.

>> Flannigan: So when you're encouraging mwbe participation in categories 1 and 3, are you measuring the compliance only in the parts that are incentivized, i.e. The project, or are you measuring broader compliance with the company in which we're participating, or partnering, for their broad engagement? So there's kind of like degrees of intensity question here in terms of what we're measuring when we say encourage. If it's just about the project, we may be talking about something that's nothing because the project category 2 doesn't have mwbe components, so it doesn't matter if you encourage them or not, there's nothing in the project to measure, as opposed to, say, we want any company that's partnering in a 380 agreement to try and use mwbe practices and policies in their broader purchasing, which would be a whole different question.

[4:47:26 PM]

>> Mayor Adler: And when you establish that as a policy across the board in this, all right, so we stated that general policy, so what Mr. Flannigan is talking -- right? -- We would -- we wouldn't be waiving it

because we wouldn't be asking for it except as concerns purchasing associated with the project. And if that's the case, category 2 doesn't have any projects that have the purchasing, so it doesn't have to be waived because it would never come up because that's not what category 2 does, it's not part of the project. Is that wrong?

>> That is the intent of staff, to be able to measure participation or to look for participation and encourage that participation, but not to have goals set for the participation.

>> Mayor Adler: That's because it's out of the project.

>> Correct.

>> Mayor Adler: And projects are number 2 and we're not measuring things outside the project because that's what we're incenting. I don't think we need than. Any objection to not passing number 19? Do you need number 19? No one up here understands why we need number 19.

>> That's a pretty clear cater we don't.

>> Mayor and council, Cindy cross as I understand with the law department. I want to clarify purchasing because in the typical now 380, if they do any purchases, then the mwbe program applies, so he

-- it's not that they're purchasing pens or pencils for employees but only if it's purchases specifically to this incentive. Because a purchase can be very broad.

>> Mayor Adler: Category 2 doesn't have any purchases associated with the project so it's not going to come up with purchasing because it's just hiring, is the only project element. So I don't think we need it because it's not going to concern -- there is no purchasing on category 2 associated with the project that's being incentivized. Okay. Without objection, we're not going to then move forward on number 19. Is there anything else for us to consider before we vote on the main resolution here?

[4:49:31 PM]

Councilmember kitchen.

>> Kitchen: I just want to repeat what we talked about at the work session. I don't think it's language, but just to repeat my intention, and I think I heard from our staff and some of the councilmembers that this will be the way to proceed. I had originally suggested some changes to the scoring mechanism to ensure that small businesses were able to participate, and determined, instead, after our conversation, that we can accomplish the same goal during the budget process by establishing a target percentage of the dollars that we end up in the budget process going towards these incentives, a percentage that would be targeted for small businesses. So I just wanted to restate my intention to bring that forward as part of the budget process.

>> Mayor Adler: Sounds good. Anything else on this before we vote? We might be able to -- if we work, council, we might be able to get through the public hearings and the historic house so that after dinner we have nothing but the budget things, if we're able to move forward. Councilmember Garza.

>> Garza: So I spoke to the location part of -- for the bonus qualifiers, and I've been working with economic development trying to come up with some location benefits because -- and the thinking behind that was, I don't think if the company says they're going to come and they're going to move into downtown, they should be getting a bonus for that. Because, you know, imagine Austin clearly spells out where our job centers are. And so I was wondering why job centers were the only centers not included under the fourth bullet on page 9, as a bonus qualifier, when they are essentially where imagine Austin has said we should have jobs.

[4:51:43 PM]

>> We'd be happy to include that as a bonus qualifier.

>> Garza: Okay.

>> Job centers.

>> Garza: Thank you. But my other concern was, it lists regional centers and downtown is a regional center. And so I don't think a company should get a bonus for locating downtown. So I would -- you know, I don't know if I say regional centers excluding the downtown regional center, and part of that concern is that -- so I'm looking at page 9 of the -- of item 57, for my colleagues. The fourth bullet also says they get a bonus qualifier if they're located within a half mile of a rail or bus stop that is accessible by pedestrian and bicycle routes. And I understand the intent of that, but then that basically adds in every part of the city, and I mean, -- I mean, many parts of the city, not every, many parts of the city, son we're

-- so then we're going to be giving bonus qualifiers everywhere, and my hope was that we were encouraging in what imagine Austin spells out as job centers, as neighborhood centers, as those kinds of things. So the next bullet says -- gives a bonus qualifier for employees, encourage employees to use alternative methods of transportation modes, and I think that bullet addresses that same intent. And so I've spoken a lot, but my amendment would be to take out regional center, include job centers, you said that that's fine, take out regional centers, and take out the language about locating within a half mile of a rail or bus stop.

>> Mayor Adler: Councilmember Garza, would you want to keep in regional centers other than downtown? Because I think we're trying to create these other downtown areas.

>> Garza: Yes, I'd be open to that.

>> Mayor Adler: So let's take those in pieces. The first one, giving bonuses to people who do job centers.

[4:53:46 PM]

Does that fit with you jobs?

>> No objection.

>> Mayor Adler: Okay. That's added. The next one, include regional centers, give people a bonus if they're willing to do a regional center other than downtown. Is that okay?

>> No objection.

>> Mayor Adler: Okay. Then that change is made as well. Then the last one was the transit question. And the question is, should we just delete that transit section because the alternate methods of transportation is covered in the next phrase, and if we say bus stops, we really aren't limiting geographic area because they're all over. And people on the dais can speak to. Go ahead, David.

>> In bullet item 5 we are looking for the employer to have a program that encourages their employees to actually use these systems. In the past, we've seen these companies step forward and put together a transportation plan with our transportation department --

>> Mayor Adler: I think she was okay with including that. Her question was the one in the preceding section where we're giving a locational bonus if you locate a business near a bus stop.

>> Within the half mile proximity?

>> Mayor Adler: In other words, we keep the section 5, which encourages people to incent, which might very well correlate to someone next to a transit stop who was actually then working with it or trying to leverage it. So let's talk on the dais here. Councilmember kitchen, then the mayor pro tem.

>> Kitchen: Well, remember we're talking about factors in the scoring. I just want to clarify that. We're not talking about giving bonuses, we're talking about factors, and they're called bonus qualifiers, but I personally think that we need to keep the location within a half mile of a rail or bus stop. I think that's important. And I don't think it diminishes the bonus qualifiers for these other locations. And so -- and I don't really care whether we include it in the third bullet or the fourth bullet, but from my perspective, I wouldn't want to delete it because it's different than the fourth bullet -- it's different than alternative transportation modes -- it's different than transportation demand management strategies.

[4:56:00 PM]

So I mean, we could put it in that bullet, I don't care about putting it in that bullet, but I wouldn't want to delete it.

>> Got it.

>> Mayor Adler: Mayor pro tem is next. Hang on.

>> Tovo: Yeah, I agree. I may be misunderstanding but it keeps very in keeping with the goals that we've set to try to encourage those jobs to be in close proximity to transit. And so --

>> Mayor Adler: Okay.

>> Tovo: -- I'm happy with having it in there.

>> Mayor Adler: Councilmember Casar and councilmember Flannigan.

>> Casar: My suggestion would be change to it a quarter mile because half a mile from a transit stop, I think I've seen those maps, and at that point I don't think we're really incentivizing behavior once your talking -- I know outside the 183, mopac, 71 loop, 35 loop, it may mean something else, but really when you're talking about that part of the city, a half mile from a bus stop, I think if you look at that map, it's going to be almost -- it's going to be almost all of the places where we're seeing jobs. So I think if we're really trying to incentivize people being near transit, I think a quarter mile might be more appropriate, if not less.

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: A majority of my district would lie outside of any of these measures, but I think important is the difference between a transit stop and a good transit stop. So I don't know that we need to split the baby on this, but the councilmember Garza wanted to keep pressing on this, I would be more inclined to support high capacity transit stops or proposed high capacity transit stops because if you put an incentivized job center on the 383 by my Anderson million neighborhood, it's a very challenging bus routes and there are a lot throughout the city that are challenging, than the more rapid and frequent services. So I mean, that's the middle space I'm in. I'm happy to stick with the language that's there, but I would also -- I don't think it really accomplishes the goal I'd like to accomplish.

>> Mayor Adler: Councilmember Garza.

[4:58:01 PM]

>> Garza: I agree with all of you. I'm just saying that basically doesn't it eliminate -- it makes a location bonus meaningless if we're saying it's a half mile within a bus stop or rail stop. And so in the spirit of councilmember Casar's maybe it is within a half mile of a rail or bus stop, outside of the urban core. So then it's -- so then you give the location benefit to the places outside of the --

>> Mayor Adler: Mayor pro tem.

>> Tovo: Except I think as a city defines the urban core, it goes from Ben white up to 183 and Ed Bluestein to -- I look to Jerry rusthoven and Greg Guernsey to bail me out. I've forgotten exactly the definitions -- very large. I guess I could -- I couldn't support that and I think there are areas within that urban core that are places where we would want jobs and probably correspond with job centers as indicated on our imagine Austin map, so...

>> Mayor Adler: It's a bonus and it speaks to transit so I probably am going to support keeping the language on that one, the third one as it is, and then over the course of the next year, if it looks like it's creating problems, then we could -- I'd probably stay within the language as it exists and not support the amendment. Councilmember kitchen.

>> Kitchen: And I want to point out what we're using this for. This is one of -- it's part of a score, and these other bullets -- I don't think it negates the location base. There's other bullets in here that are -- you know, that could be problematic too if you're trying to get to a certain result because, I mean, look

at the other bullets. This is just how far they add up the factors and the score, that's all it is. And so, you know, what we're talking about could be such a low score -- I mean you could score more just from being a targeted industry involved in leading to technology in a I think that I'd rather keep all of this and just collect data on it.

[5:00:19 PM]

>> Mayor Adler: Council member Garza, do you want to make an amendment?

>> Garza: I will drop it but I think it makes that bonus qualifier meaningless.

>> Mayor Adler: Let's look at that over the course of the year. That gets us to the main motion again. Council member Houston.

>> Houston: Where we look at job centers and activity centers are in district 1, there are no routes close. Because we're trying to get jobs in those locations but there's no way to get there, so I'm wanting to keep that in because I think that that's the only way we're going to drive any kind of transit, high-capacity rail or rapid buses. If we have those job locations and we need to populate those areas.

>> Mayor Adler: Okay. We're going to keep that in. We're back to the main motion. Anything else before we vote? Let's take a vote. Yes, council member troxclair. >>.

>> Troxclair: I was just going to say briefly I vote against this item. The purpose of economic incentives are to stabilize our economy and grow our economy. And what started out as a way for us to include small businesses that are already in Austin in our incentive programs that we historically had given to large companies, it was hard for them to compete, has turned into a workforce development program. Which, there's a place for workforce development programs but I just -- it seems like we are using the wrong vehicle for us to get there, especially in light of the fact that we had an audit recently from our auditor that stated -- I mean, quote, we have not historically planned and coordinated -- the city of Austin has not historically planned and coordinated its workforce development programs effectively and does not have sufficient and reliable data to evaluate the success of these programs, specifically if city has lacked a comprehensive workforce development plan and contracts are not centrally managed.

[5:02:21 PM]

The city and contract performance managers relating to workforce development are not effective and the city does not have reliable data related to contract performance. It just doesn't seem like this is the vehicle for us to address those problems get, you know, people in our community who are, who want jobs and don't have them to find good-paying jobs and to accomplish what I think economic development programs are supposed to accomplish, which is, again, to stabilize and grow our economy. So I just feel like this entire program kind of got off the rails somewhere and I'm not optimistic about its ability to really do what economic development programs which are designed to do. Even if it was I

don't know that I would be able to support it because we have a great economy in Austin right now and I'm not sure if we need traditional economic incentives at this point here. That's neither here nor there. I know the staff has put a lot of time and effort into it and a lot of the changes have been council driven, not necessarily staff driven. So thank you for your work that y'all have put into this. I appreciate it and I'm sorry I'm not going to be able to support it.

>> Mayor Adler: Council member Garza.

>> Garza: There was no objection to excluding the regional center of downtown. Can we exclude the downtown, the half mile of transit?

>> Mayor Adler: We included jobs. Say that again?

>> Garza: We excluded downtown. If we keep the transit you're just adding downtown back in. So then exclude that regional center for that part, for the transit part as well.

>> Mayor Adler: You want to speak to that? Any objection to that?

>> Garza: It's the same thing as excluding it as a regional center.

>> We can exclude the downtown regional center. My concern would be our efforts to recruiting or working with particular types of businesses within this respective area.

[5:04:27 PM]

But it is a bonus qualifier so I don't see it as incredibly impactful to being able to do that. So I can agree.

>> Mayor Adler: You can agree. Any objection to that being included? I'm sorry? I mean, for me, I'm fine with that because companies like to move downtown. So to the degree that we're encouraging people to not locate downtown, but locate along transit areas, I'm fine with. I think it's the kind of development we want to incent. Otherwise that other development is already happening. Mayor pro tem.

>> Tovo: I would like to just elaborate a little bit on that about keeping it in as allowing you to continue to work with those businesses and enhance job creation. Could you just help me understand if we kept it in for downtown what would that enable you to do with downtown businesses that you wouldn't be able to do were it to be excluded.

>> If it's a current downtown and they are expanding jobs downtown, that, I think that's fine. A brand new company wanting to locate downtown. I think that addresses his concern.

>> Tovo: Yes. If that's the intent --

>> Yes.

>> Tovo: That I can support.

>> Mayor Adler: It doesn't exclude things happening downtown.

>> Tovo: I didn't articulate it properly but I would like for these programs to be able to be used for downtown businesses that are expanding.

>> Mayor Adler: That was my understanding as well.

>> Tovo: Okay.

>> The non-downtown regional center in category 3 where we are recruiting. Instead of category 1 where we are working with businesses that already exist within the downtown area.

>> Yes.

>> Renteria: So what is this amendment doing for downtown?

[5:06:27 PM]

Because I'm concerned about saltillo being one of the transit stops.

>> Mayor Adler: It doesn't exclude anybody downtown from receiving the benefit and applying for and competing for and getting an incentive. It just says that if you're looking for bonus points or extra factors then you need to be in a transit place outside of downtown or a regional center outside of downtown. Because that's where we're trying to encourage people that are not otherwise --

>> Renteria: You're defining downtown as 35?

>> Yes.

>> Renteria: Okay.

>> Mayor Adler: Let's take a vote. Those in favor of these three items please raise your hand. Those opposed? Council member troxclair voting no. The others voting aye. Congratulations. This is a lot of work. David, I want to congratulate you and Rebecca. I think it's also important for us to thank John hackenos who helped this through. And Julia Campbell, who is not with us here. She is at home with a brand new baby but I understand she and Connor Blake Campbell are watching us right now. So hello to you. This was good work. It was long overdue. We look skeptically at these kinds of programs in recent years because I think the community benefit received was too indirect. This gives a chance to make evaluations based on community benefits that are understood to be real. So thank you for this work. Council, we have half an hour, a little less than half an hour. I'm going to call the public hearings. I think we can probably get through all of those right now, so let's try to do that. We'll begin with item no. 47. We have no one here to speak on this. Is there staff here for these?

[5:08:47 PM]

Item no. 47 is conduct a public hearing to receive growth. I don't think there's action here. It's just a public hearing. Does anyone want to testify on this? I have no one signed up. Is there a motion to close the public hearing on item no. 47? Council member pool makes that motion. Is there a second? Council member troxclair. Any objection? Then the public hearing is closed without objection on the dais. I think that's all we were doing on 47. Is that right? All right. Let's take a look at no. 48. 48 has a script here. We're going to take up item 48 to conduct a public hearing and receive public comment on the update to the city of Austin water and wastewater impact fee land use assumptions and capital improvement plan including proposed amendments to impact fees. We'll close the public comment on the update of these land use assumptions, capital improvement plan and impact fees at the end of this meeting. We're scheduled to adopt the update of these Austin water and wastewater land use assumptions, capital improvement plan and impact fees on September 11, 2018. I am looking. I see no speakers that are signed up to speak on this item. Is there anyone here who wishes to speak on item 48? Seeing none, that concludes the public comment portion of the budget hearing required by state law. We will vote to adopt the five-year update of the city of Austin water and wastewater impact fee land use assumptions and capital improvement plan on September 11, 2018 and continuing the next day or two as necessary. The meetings will be here in city hall, 301 west 2nd street in Austin, Texas and we'll begin at 10:00 A.M. Is there a motion to close the public comment portion of the hearing and schedule adoption of the five-year update of the city of Austin water and wastewater impact fee land use assumptions, capital improvement plan, impact fees for September 11, 2018? Council member Houston makes that motion. Is there a second to that? Council member Renteria seconds that. Those in favor, please raise your hand.

[5:10:49 PM]

Those opposed? Unanimous on the dais with council members Casar and alter off. That takes care of item 48. That gets us to item no. 49. Item 49 is conduct a public hearing to receive public comment on the proposed rate and fee changes for Austin energy. We had one person who is signed up for this. Is Tim here? Would you like to speak on this? Come on down.

>> Good evening, mayor, mayor pro tem, council members, and city manager. My name is Tim art. I got to serve on the low-income advisory task force in 2015, which was grew out of a recommendation I think of the Austin generation task force in 2014. If I could take a minute to remind everyone of their recommendations. This fund or this increase is really about equity. Equity is to utility policy as to economic justice is to the broader social policy. All customers pay into this system through a rate structure. Services and programs and policies need to be structured to assure equal access to service and equitable distribution to the benefits for all customers to prevent subsidies to wealthier customers being paid by lower-income customers. Pecan street reports that older homes, and I continue reading from their task force report. Pecan street reports that older homes have an -- that have energy efficiency retrofits use 29% less electricity for cooling their homes than those that have not been retrofitted.

[5:12:59 PM]

Because of Austin energy customers pay for energy efficiency, all Austin energy residential customers should have the access to a weatherization program. Austin energy, or the report showed that 38% of Austin energy customers were low-income households or working poor. The recommendation for the task force was that council should set a new energy efficiency goal for saving energy and the underserved customer population. The increase today is 22%. Just looking at Austin energy's budget, they're reducing their budget for weatherization by \$150,000 and reducing the multi-family program by 35%. My recommendation is for y'all to approve the rate increase but then also encourage Austin energy to make improvements to their program and increase the budget as well. Or another option would be take funding for low and moderate income customers and give it to community development. Thank you for your time and if you have any questions, I'm available.

>> Mayor Adler: Thank you very much. Those are all the speakers we had listed on this. Manager, I'm trying to move as quickly as I can because I might be able to get public speakers here on the historic housing case before we break for dinner. If I can I would like to do that. But I think you have indicated that Austin energy is going to be actually lowering rates for residential customers so that what we have seen at our last budget meetings will be updated when we consider this. Right now we're showing for the average person, if you remember that list there was a slight increase on Austin energy rates.

[5:15:04 PM]

When we get the revised numbers back it's going to show a slight decrease. Water and electric rates will show a decrease?

>> That's correct. He'll be able to describe that in more detail.

>> Mayor Adler: Thank you very much. Is there a motion to close the public hearing on this item no. 49? Council member pool makes that motion. Is there a second to that? Council member Renteria seconds that. Any objection to closing the public hearing? Hearing none, the public hearing is closed. I think that gets us up to item no. 52, the tdhc item. I think we had some people signed up for that but they may not need to speak.

>> Neighborhood housing and community development department. We have two people signed up. One of whom is the developer for the proposed property in question. If there are any questions from the dais.

>> Mayor Adler: Okay. Someone move -- so this is a public hearing. No one needs to speak on this. Is that what we're saying?

>> That is correct. We are conducting a public hearing considering a resolution.

>> Mayor Adler: Is there a motion to approve this item no. 52? Mayor pro tem makes that motion. Is there a second to that motion? Council member Renteria seconds it. Discussion on the dais. Ms. Houston.

>> Houston: I have a question on the back of the recommended for council action. This is the first time I have ever seen a waiver for a transit-oriented waiver. What does that mean and then how does that relate to the smart, the T in smart housing?

>> This is a smart housing waiver that we approve administratively in certain situations. This is the property in question, the development is a 232-unit affordable housing unit for seniors and the applicant has committed to working with capital metro through a special program for van service.

[5:17:07 PM]

The closest transit stop for this particular property is about a mile and a half away, so it's a significant distance, particularly for seniors. And so they have committed to working with cap metro on their van service. And so as such we provided a waiver.

>> Houston: So there have been other developers in that part of the city off of dessau road, not in seven but in one, who said the same thing, and ha hasn't happened. We're getting a lot of complaints. So what do we do if that does not happen, if there is not the relationship with capital metro to be able to get people to the H-E-B or the Walgreens or wherever.

>> So I believe the applicant is here, a representative from kcg development and perhaps they can talk about their plans for ensuring the seniors have access to transit.

>> Mayor Adler and city council. I'm the developer for kcg development. Our application for the smart housing waiver, as you know, is part of the transportation. And since the closest metro stop is a mile as a bird flies, our goal is to work with cap metro to either get another bus stop in the area or to work with them. They do have a senior transportation program where senior residents can actually call and request rides. There is another multi-family development going in across the street by another developer, so there are going to be approximately 400 to 500 new units in the area within the next two years, which would support demand for an additional stop closer by. I don't know if that's going to happen but we are hoping.

[5:19:09 PM]

>> Houston: Well, I'm not going to be able to support this for the very reasons that we keep putting our seniors and folks who are on limited incomes further out in the city. And I know why. But they don't have the transportation access. And they need to get to the grocery store and doctors' appointments. We have had that issue and it doesn't seem like capital metro -- they had a pilot program in Mueller in district 9 where you could call, but it's not been extended outside of that particular pilot area. So it's a great project. We need the housing but the lack of access to services and amenities is a thing that continues to bother me when these projects come before me, so I won't be able to support it.

>> I understand. There's also been discussion -- and I can't commit to it at this time. What I have done with a previous developer is we have actually had a bus that we, like a 12-person bus that we had on site that was owned by the development to assist with some of these items, which we are considering. There is some liability with having that option included, but it is something we're also investigating for the very reasons you bring up.

>> Houston: That's great. And some of the other developers out in that area for senior housing have also gotten taxi vouchers so that people who needed to be on a different schedule to go to church or wherever could get one of those vouchers.

>> Okay.

>> Mayor Adler: Is there a motion to approve this item 52 and close the public hearing? Mr. Renteria makes that motion. Mr. Flannigan seconds that. All those in favor, raise your hand. Those opposed. Council member Houston voting no. The other eight voting yes. It passes. That takes care of item 52. Council members that gives us the budget-related items as well as the historic home issue.

[5:21:10 PM]

We have some people signed up to speak on the historic home, which is item no. 46. I would go ahead and call them now if they want to speak before we do the dinner break so that they have that opportunity. I don't know that we'll actually have the chance to deliberate before dinner. So I'm going to ask people if they want to speak at the applicant, I guess, is represented by Glen Coleman. Do you want to speak now or do you want to speak after dinner? I'm sorry?

>> [Inaudible]

>> Mayor Adler: Okay. I have a list. So first, Jay riskind. Do you want to speak?

>> [Inaudible]

>> Mayor Adler: Well, it's usually staff to lay it out but we also have nine minutes before we're supposed to stop, so I was going to give members of the public the chance to speak, if they wanted to take that opportunity. Because I see us otherwise recessing for the dinner break and coming back and considering this after dinner. So I wanted to give members of the public a chance to speak now, if that's something they wanted to do. Applicant usually goes first but it's going to take eight minutes and then --

>> Glen Coleman for the homeowner against the applicant. I think we would be better off if staff laid out their case and we could all make a better informed decision and we'll follow up with our comments and our material.

>> Mayor Adler: I would imagine what we have time for is staff now and we'll break for dinner. Everyone can come back after dinner and we'll have the discussion. Staff, why don't you lay out the case?

>> Thank you, Mr. Mayor. Council members, Steve Sadowsky.

[5:23:15 PM]

On the Bryson Kruger Critz house. It is a 1923 house built in the Italian renaissance style. Italian renaissance was a period style that flourished 1910s, 1920s and it's a grand imposing style designed by architects. In this case this one was assigned by some of the most prominent architects at the time. The style is known for its symmetrical composition, which you see here on the house. Very imposing. Very deep bracketed eaves and generally would have had a red clay tile roof. That roof has been replaced with a metal roof. Otherwise this house is remarkably intact, given its 1923 construction date. The house actually made the American statesman in 1923 as it was being built. And you can see what the statesman said is that it was equipped with the latest of modern appointments. The house would be one of the most complete in Austin. The first owners of the house were George Bryson and his wife, Belle. They lived here for a short period of time. Mr. Bryson was a partner of Malcolm Reid, the biggest cotton merchant in the city. I think it's important to remember in the 1920s cotton was the backbone of Austin's economy. So all of the surrounding area, Bastrop county, Travis county brought their cotton into the city and then people like George Bryson bought the cotton from the farmers and shipped it out to other markets. The Brysons eventually moved to Houston. The next family that owned the house were Joe and Addy Knight who lived here until the mid 1930s. Mr. Knight was a rancher. Following the Knights were Charles Kruger and his wife, Nora. They lived here until about 1937. Judge Kruger was a commissioner on the state court of criminal appeals and then moved back to Bellville, Texas where he was from.

[5:25:24 PM]

The longest owners and occupants of the house were Richard and Nora Critz. They bought the house in 1937. They lived here until he passed away in 1959. Mr. Critz was a native of Mississippi and moved as a very young child to Williamson county where he was schooled and took up the law. He had a law office in Granger and in Taylor and he worked with Williamson county prosecutor, Dan Moody, prosecuting members of the Ku Klux Klan and was successful in jailing members of the Ku Klux Klan for their activities. When Moody became governor of the state of Texas, Mr. Critz was appointed to the supreme court. He remained there until 1944. Afterwards he reopened his private law practice in Austin, which he remained in until his death in 1959. This case came to the historic landmark commission on a partial demolition and building permit. It is contributing to the historic district and these types of cases are reviewed by the landmark commission who have the options of either saying, yes, this is an appropriate change to the house and granting the permit. Or initiating the historic zoning case, which they didn't here. The owner of the house did not own the house at the time that it first came up. He came to the certificate of appropriateness review committee of the historic landmark commission with his plans. That certificate of appropriateness review committee told him that what he was proposing was not acceptable. It would take the house from being contributing to the historic district to non-contributing, and there were other ways to achieve his goals of adding square footage and flow in the house. I said this is a partial demolition permit but make no mistake. This is tantamount to a full demolition.

[5:27:26 PM]

There is absolutely no architectural features that exist on the house now that will remain after the applicant makes his proposed changes to the house. So we might as well be looking at a brand new house for all intents and purposes. That is why the historic landmark commission initiated and then recommended historic zoning case to preserve this house, its architecture, and history and staff concurs in the historic landmark commission's recommendation for historic zoning.

>> Mayor Adler: Okay. Thank you.

>> Thank you.

>> Mayor Adler: Mayor pro tem, question.

>> Tovo: I do. I'm happy to ask them after if you think we can get through. It's 5:27 so we probably can't. I may have more questions for you after the break, but the first question I wanted to ask was for you to clarify something you said at the beginning of your presentation which was that the owners were not the owners when they first came to the landmark commission's certificate of appropriateness process.

>> That's correct. They are in the process. I believe they put an offer on the house but they hadn't closed on it.

>> Tovo: They had not yet closed on it and they presented their designs to that committee?

>> To the committee, yes.

>> Tovo: Okay.

>> Mayor.

>> Mayor Adler: Okay. Council member pool.

>> Pool: Just a quick question. Can you tell us what the changes are that were proposed that would in effect create a new home?

>> Yes. Let me pull it back up.

>> Pool: Thanks.

>> So there you see the house at the top left. This is what the new owners would be proposing to change it to. You see the symmetry that exists now, the eaves, everything that defines this house has Italian renaissance style would be removed from this house in the new owners' plans.

>> Pool: And do you know what the square footage is currently and what it would be in the expansion?

[5:29:30 PM]

>> I would defer to the owner on that but I believe it's currently -- no, I don't.

>> Pool: It looks like a big house to me.

>> Yes, it is. That was the whole idea behind the design was to be a very big imposing presence.

>> Pool: And this would make it larger, is that correct?

>> I believe at the zoning and platting commission the owner testified it would be another 3500 square feet added to the house.

>> Pool: Thank you.

>> Mayor Adler: Okay. It is 5:30. We're going to take a recess now for music and proclamations. When we come back we have three speakers signed up to speak on this case. We'll take this case up first and then we'll do the public hearing on the budget issues and the tax rate. Council member Garza.

>> Garza: Mayor, I just wanted to apologize to the public. I have a child care issue. My husband does a great job of juggling my Thursdays but we just weren't able to make it work tonight. So I know there's somebody that's going to talk about child care at the council meeting so I think the irony is not lost on me. But I thought about putting her on my lap and having her watch some paw patrol in here, but sometimes the discussion gets a little intense, and rightfully so, during budget session. So I'm going to go home and put her to sleep and watch from home. I'm sorry that I can't be here.

>> Mayor Adler: All right. That said, the time is 5:30 and we stand in recess.

[Recess]

>> Mayor Adler: Probably going to be a quarter to 7:00 would be my guess.

[5:43:44 PM]

>> Mayor Adler: This is my favorite part of Austin city council meetings. You know, we are the live music capital of the world and I think the only city council in the country, perhaps the world, that actually stops every city council meeting to make sure that we get a little live music. If you have been with us for the last eight hours you understand why it's so important that we bring live music into this place. Knowing that we still have another set of hours to go. We love taking the live music and pressing it into the walls in this room so that it stays with us. And tonight we have just an incredible treat. We have Ms. Lavelle white with us this evening.

[Cheering and applause]

>> Mayor Adler: Ms. White is a Texas blues and soul singer, songwriter. She's been performing since the age of 15. But her debut album, Ms. Lavelle was released when she was 65. In the course of her long career she has lived and worked in Chicago and Houston and eventually here in Austin, Texas. She has held a residency in Antone's for many years. She has performed at the San Francisco blues festival, the

Houston international festival. In 1997 she appeared on "Austin city limits" and now reaching new heights she is playing the city council chambers here in Austin, Texas.

[Laughter]

>> Mayor Adler: Please welcome with me, Ms. Lavelle white.

[5:45:55 PM]

>> Come on, everybody.

[♪ Music playing ♪] ♪

♪ go home pretty baby ♪

♪ you found out pretty soon baby ♪

♪ go ahead, go ahead ♪

♪ find out pretty soon ♪

[5:48:53 PM]

[cheering and applause]

>> Let's hear it for all you wonderful people here. And don't forget that I will have the mayor done at Antone's Sunday night. He's going to be down there singing with me.

[Laughter]

>> Oh, yeah. I want you to get up there and sing one song. I want you to sing.

>> Put him on the spot, Lavelle.

>> People have heard me sing before. While we have everybody here, because you're being streamed live on the website and the TV cameras on. So if people want to get that record, Ms. Lavelle, how would they go get that release?

>> I tell you what, there is a thing where all my things are on the Facebook. You can get me on Facebook. So you can look on the internet and you can get my cds from when I was young, from 15 to 18. You can look on there and get all that music. So this is about it. But I'm so happy to be here. And I think y'all should give our mayor the biggest round of applause he's ever had.

>> Mayor Adler: I love this woman.

[Applause]

>> I love you, mayor. I love you.

>> Mayor Adler: And that means so much to me.

>> Well, I love you.

>> Mayor Adler: If people want to come see you play, so Sunday night you're at Antone's.

>> From 6: 30 to 9:00. Also I'm over at the skylark the first Saturday of the month, which will be Saturday. Also, I'm over on south congress to [indiscernible] Every third Saturday.

[5:51:01 PM]

And just look on my Facebook. You can find out where I am.

>> Mayor Adler: All right. I have a proclamation. Can I read a proclamation?

>> Sure you can.

>> Mayor Adler: So be it known that whereas Ms. Lavelle white has resided in Austin, Texas for many years and has become an icon of the Austin music experience and community. She is renowned internationally for her musical excellence in soul and blues, world and beyond and her style, songwriting and spirit make her unique beyond compare.

>> Oh, thank you.

>> Mayor Adler: And whereas Ms. Lavelle white has a long history in the music business where she's worked with many well-known artists such as James brown, Otis Redding. You shared the stage with Sam cook.

>> Also Ms. Aretha Franklin. Yes, I did.

>> Mayor Adler: Bobby blue bland and many others.

>> And many others. And I am so glad to know that I've had the pleasure of sharing Austin with myself.

[Laughter] And I love all you people here. I mean, I don't think anybody could love you as much as I do.

>> Mayor Adler: And that means so much coming from you for our city. And whereas Ms. Lavelle white shares her magical music with all her fans, young and old at the multiple gigs she performs each week bringing joy to one and all. Now therefore I, Steve Adler, mayor of the live music capital, the city of Austin, Texas.

[Applause]

>> Mayor Adler: On behalf of an appreciative city council and city do hereby proclaim August 30 of the year 2018 as Ms. Lavelle white day in Austin, Texas.

>> Thank you.

>> Mayor Adler: You're a treasure!

>> Thank you. Thank you. I love you, mayor. Love you more than you know.

[5:53:01 PM]

>> Mayor Adler: We love you too.

>> Oh, my goodness.

>> Mayor Adler: We love you too.

>> Hold the guitar up. This is the Ms. Lavelle guitar. This is being given to the Briscoe center. It's going to the Briscoe center. It's Austin's guitar now. It's the Ms. Lavelle guitar.

[Applause]

>> Mayor Adler: I'll work out a quick riff here.

>> Go ahead and do that.

>> Mayor Adler: No, I can't.

>> Yes, you can.

>> Mayor Adler: This is a treat for us.

>> We love you. God bless all of you.

>> Mayor Adler: So when does this movie come out?

>> It premieres at south by southwest.

>> Let's hear it for the mayor and everybody. Come on. Give it up.

>> Mayor Adler: Let's get the band together. Let's take a picture.

[Applause]

>> Mayor Adler: You want to take this away?

>> Yes. Take that away.

[Taking pictures]

>> Give it up for Lavelle white, y'all.

[5:55:16 PM]

[Applause]

>> Mayor Adler: Thank you, Lavelle. Ms. White. Thank you.

[5:59:02 PM]

>> Mayor Adler: All right. Are we ready? We have an important proclamation. Be it known that Raj bat Terri's expertise -- bhattarai's expertise has been recognized throughout the globe, from the international water association, the water research foundation, the water environment federation, the national association of clean water agencies, the environmental protection agency and the Texas commission on environmental quality. And whereas Raj bhattarai served the citizens of Austin for almost 35 years through his innovative and invaluable contributions to the design and operation of maintenance of Austin's wastewater system and regulatory compliance. And whereas Raj bhattarai will retire from the stint on September 29, 2018, but will remain a passionate wastewater ambassador. Now therefore I, Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim with great appreciation for phenomenal public service, September 29th of the year 2018 as Raj bhattarai day in Austin, Texas. Congratulations.

[Applause]. The head of the department will say a few words.

>> Thank you, mayor. All 1200 Austin water employees are special, but some rise to the very cream of the crop.

[6:01:02 PM]

And Raj is one of those. He has been such a part of our utility for so many years. It's the kind of individual you can hardly imagine Austin water being without in the future. We have a few other kind of mementos we wanted to send him today. It's our tradition at the utility that we have a plaque here where we present this to Raj for 34 years, 10 months of dedicated service to the city of Austin and Austin water, but we also have a street sign -- it's our tradition we give a street sign for employees. This is bhattarai way. I must say, if you say the word Cher in the entertainment business, you know who that is. In the water and wastewater industry across the nation, if you say the word Raj you know exactly who that is.

[Laughter].

[Applause]. So this should be Raj way in addition to bhattarai way. Raj, congratulations for all that you do. Thank you so much. Thank you for serving not only our city, but the nation, you go back to necessity pal, you've been so much a part of the industry for all of these years and we were honored this you spent almost 35 years at Austin water. Thank you.

[Applause].

>> Thank you, mayor Adler and Greg. I'm truly honored and humbled by this honor. It's been a great pleasure and pride, matter of great pride for me to have been an Austin citizen for the last 41 years. I came here to go to graduate school and never left. And it's been wonderful working for Austin water, for the city of Austin for the last 31 -- I'm sorry, almost 35 years. So I've been a proud city of Austin employee and I'll be a proud retiree and I'll plan to continue to live here in Austin and continue to be involved with water issues. So thank you again from the bottom of my heart.

[Applause].

[6:04:17 PM]

>> Mayor Adler: Let's bring the family on down.

>> Pool: And we have one more proclamation. This one is a recognition of our gorgeous and astonishing and now world renowned new central library. So I invite all the folks with the library department to come join me here.

[6:06:25 PM]

All right. We got everybody here? Okay, great. Mr. Gilliam, you're here? All right. I'm Leslie pool and I'm the councilmember for district 7 and I have the honor to read this proclamation because I am just so darn proud of this new central library that we have constructed just up the street here.

Proclamation: Be it known that whereas Austin's new central library, which opened last year to wide acclaim, scored a spot as one of five finalists for the international federation of library association's public library of the year prize. And whereas the Austin central library was the only library in the United States selected by the ifla for its focus on sustainability, featuring its own energy production and rainwater systems, as well as it's high flexibility of interior design. And whereas the Austin central library was also chosen this week for the first list of time magazine's world's greatest places by the magazine's editors and correspondents around the world. And whereas the central library was chosen for this global distinction for the 500,000 books, art gallery, event space, a rooftop butterfly garden and a technology petting zoo which enables visitors to toy with next generation gadgets. Now therefore I, Leslie pool, councilmember for district 7, on behalf of mayor Adler and the entire Austin city council, do hereby proclaim Austin 30th, 2018 as Austin central library day. Congratulations to you all.

[Applause].

>> Councilmember pool, thank you so much for this proclamation.

[6:08:28 PM]

To mayor Adler, our city manager, my boss Sarah, the greatest boss in the world, thank you so much for all the support that we've gotten. We have our foundation that's here, we have our commissioners here, and some of our fantastic staff. We are so grateful for this honor and we are glad that we're listed as one of the best 100 places to visit in the world, not just the city, in the world. And I always do this when I go to events. How many people have their library cards? If you don't have your library card, September is library sign-up month. Come on, get your library card. And with that I do want to introduce John, who helped lead this project along with other city departments. John, if you could say a few words.

[Applause].

>> Thank you, Roosevelt. I think a new central library much like a child, takes a whole village to raise. It took the whole city to create our new central library. We couldn't have done it without all the support of the citizens and all the help from the other city departments, particularly public works that managed it. And I should mention Cindy Jordan, our project manager, so she doesn't hit me later. It took a whole lot of us to create it. It's very humbling and gratifying that it's been so well received. Thank y'all very much.

[Applause].

[6:11:57 PM]

[♪Music♪]

[6:58:39 PM]

[Music]

[7:05:21 PM]

>> Mayor Adler: all right, council. I think we have a quorum. It is 7:05, still August 30, 2018. We're going to pick back up this meeting. We're going to pick back up the historic house matter, item number 46. We've heard from the city, and now we'll hear from the folks that have been identified. We'll begin with Jay Briskind. Did you want to say something?

>> I did, mayor, I'm sorry. I neglected from my previous presentation to you. There are two valid petitions on this case so it is going to require a certain majority.

>> Mayor Adler: I'm sorry, what?

>> There are two valid petitions on this case so your associates it can only go on first reading tonight because we don't have a recommendation from the zoning and platting commissions. Wanted to make you aware there are two valid petitions.

>> Mayor Adler: How many votes does it take for it to pass on first reading with valid petitions?

>> Six.

>> Mayor Adler: Six votes for it to pass it forward on first reading okay because it's not a final action. So is [indiscernible] Briskind here, you have five minutes, three plus two minutes.

>> Good evening, mayor, mayor pro tem, councilmembers. Thank you for the opportunity to talk about the rezoning effort on our property. I'm Jay Riskin, my wife ZARA. We're actually, as Mr. Sadowsky said, we're representing two valid petitions tonight, one from ourselves but also one from all of our adjacent neighbors, who surprisingly, you know, have all rallied to also oppose this effort.

[7:07:24 PM]

Just in way of background, I'm a native Texan multiply I met my wife in Beijing, we were both living abroad. I always wanted to raise a family in Austin. That was always my dream, and I brought my wife to Austin many times before we were married, got married in Austin, then when we got pregnant with our first child we moved to Austin two years ago and now we're pregnant with our second child. Our goal agency always been to raise a large family here and we took our time to find the right property, investigate the area and neighborhood and what our goals were long-term to have a multigenerational kind of property. And when we saw 1602 West Lynn, we felt like this was the right option for us. We took our time in talking to the owners, who had owned it 50 years. Who aren't mentioned in any of Mr. Sadowsky's materials, but they're the longest holding owners of the property. And they have the original plans to the property, and could discuss almost any question you had about the property. Both them, their sellers' agent, our agent, and then our original permit expeditors we talked to all felt like this was not on the salespeople transform of historical landmark based on what they knew about it. I want to say I hope that I can answer every question you offer and I want to thank Ms. Tovo for her first question, question about additional square footage that we're auditing. I really want to inform you all on everything that we've done regarding this process. But we went to the first certificate of appropriateness committee, expecting that we were going to get input on our design and there would be a back and forth conversation about aspects and that we thought we were designing in a consistent nature with what the neighborhood and the style of the area, and we're really -- were really, really shocked frankly when we had about a five-minute conversation with the three members of the certificate of appropriateness committee, who basically categorically rejected everything we had done, didn't really want to talk about it, didn't realize it wasn't already a landmark.

[7:09:41 PM]

They basically were informed by Mr. Is Sadowsky, hey, this is just a contributing property, you have administrative opinion, but you don't actually have the right to reject anything about this plan. And they were immediately deflated and they said what can we do? They said we can make it a landmark. And so we took that away, and we said, okay, we need to investigate this further. And we hired our own historical expert to do a deep dive into this, give us opinions, because we were under contracted, wanted to buy it and two weeks away from closing. Our expert said -- the first expert, Ms. Bell with the city of San Antonio for ten years, registered preservation expert, said, you know, I could see how this could probably make the contributing list because there are 1500 contributing properties out of 2500 properties in this national historical district and this is the largest historical district in the state of Texas so I could see how it could make it but this is not the best example of I will tallian ren distance revival in the neighborhood, let alone in general. There are nine examples, best 12 doors down from us and it's not even landmarked. Her feedback was I don't see how this could get landmarked based on merits for architectural significance or rarity or exceptionalism. So we continued with this process but kept an open mind and talked to our architect, looked at the alternatives. We talked to other experts, then we went to our neighbors. And our first neighbor to the right of us was a historical proponent, which we are as well. They had actually advocated against a situation like this in Clark victim when living there but when we told them television Italian renaissance, they didn't see how it fit the criteria, nothing significant happened at the property, so they were very much in support of us. Our neighbor to the other side has been in the property for almost 50 years as well.

[7:11:47 PM]

She was one of the original environmental attorneys at baker Botts and her initial reaction was if this is Italian renaissance revival then I'm republic an. I don't know if I can have a little more time.

>> No.

>> We'll leave it at that. I'd like to answer every question you guys have so I'll leave it up to you guys.

>> Mayor Adler: Thank you. Next speaker is chris belle.

>> Good evening, councilmembers, my name is cherice, senior architectural historian, and I have 20 carriers experience in historic preservation, serving and determining historic eligibility of individual landmarks and historic districts. At both the municipal and at the national level. And I have personally facilitated the successful historic designation of several districts both in San Antonio and in new braunfels as their historic preservation officer. As you can see by the screen, 1602 west Lynn was labeled as an Italian renaissance revival style home, a plain or watered down example of the Italian renaissance and accord to go Virginia Mcallister who wrote the guide to American houses, this is her diagram. She lists some of the common traits that you will see. There's a hip group of and it's usually covered with tile. There are commonly arched windows on the ground floor. And the top floor windows are usually smaller than the bottom floor. And you have wide overhanging eaves with brackets.

[7:13:47 PM]

Aha. So in reviewing the original architect's drawing, which you will see to your left, compared with what was built today, the as-built was different than what the architectural firm designed. The first thing I'd like to note is what's called the finistration pattern, there was an open area for your car to go through that has been covered by a modern garage door. To your left in the historic photo is an open sun room, and that sun room, too, has been closed. If we look closely at the roof material, the original drawings indicated that it should be red cedar shingles. When the house was being built it was described as red brick and tile with the tile being the roof material. Today the material has changed to corrugated metal, which not an appropriate material for this style. Some of the architectural elements that were removed are not built that take away from the design of this being a really good example of the Italian is in the sills, that's the bottom of the window. As you can see it was supposed to be stone and it ended up just being brick. This is probably a cost savings for the property owner. The second item is the top of the window are the lintels and you could see it would have been decorative brick with a stone keystone and stone in stones. When you look again at the windows on the bottom floor, that detail or those details in materials were not utilized. Finally, the original drawing had this porch, an arched porch with columns, which is typical of the style.

[7:15:50 PM]

But when you look at the 1961 Sanborn fire insurance map that shows the outline of the building, and they usually do include the porches, as you can see on the picture below the red circle where it has the dashes, that equals a porch, there is no porch for this house. So when you look at the now picture to your far right, you can see that there's some differences, especially in the top portion where you have the railing. Originally it should have been an X plan with larger posts, and then the columns were indicated as being round and metal, and they ended up being fluted columns as they're currently built. There is an example of a high style Italian revival located at 1602 Niles and you can see it has the elements we talked about, with the red tile roof, the arched windows. It has a belt course in the middle. That's the horizontal panelling or stone through the middle. There are port cochure still still open and it looks like the sun room may or may not have been originally enclosed on that. The local firm designed this house. They are best known for their schools, but did design houses and commercial buildings. Three of their buildings -- ooh.

[Buzzer sounding] Was that five minutes?

>> Mayor Adler: Was that five minutes? Yes.

>> Okay. Never mind. Thank you.

>> Mayor Adler: Thank you. Just a moment, please. Mayor pro tem has some questions.

>> Tovo:hi, Ms. Belle, thank you for being here. Were you present with the owners when they met to show the designs to the committee?

>> No. Our firm was hired after that meeting.

[7:17:52 PM]

>> Tovo: So you didn't have an opportunity to advise them in the purchase of this house?

>> No.

>> Tovo: I have a question about an element in your report. As you know, one of the -- one of the elements on which a property can be deemed significant and in line with the ordinance relates to community value.

>> Yes.

>> Tovo: And your statement about community value was "The property has been in this location since 1923. However its unique location and setting has been greatly diminished by the demolition of the house across the street and demolition and new construction of the house next door, which is now located only 3 feet away from the property line."

>> Yes.

>> Tovo: I wondered if you could explain to me why community value -- I need help understanding that.

>> So interpreting -- community value can be interpreted many different ways, and part of that is what the property owners may deem as important for their area and what the character and setting is of the location. And I was stating that the character has changed because demolitions have occurred on this streetscape.

>> Tovo: I represent this district and am very familiar with this and went by today and agree with you the demolition of those structures -- I agree with part of it. The demolition of those structures across the street has definitely changed that part of the street. This is a historic area with many older -- what I would argue are historically significant homes, and so I guess if the demolition of the homes across the street, in your estimation, have impacted the historical value of this structure, could not the same be true of the alterations your client is proposing, that it would diminish the historical value of the houses around it in terms of community value by the same logic.

>> Yes, it could.

>> Tovo: Okay. I probably will have some other questions for you about your report, but that's it for now.

[7:19:55 PM]

Thank you.

>> Okay.

>> Mayor adler:mr. Coleman, and you have time donated to you by ashkan

[indiscernible]. There you are. You have five minutes.

>> Troxclair: Before you start, I'm sorry, did you hand out a copy of the report or email it to us? It's in the backup? Okay. Thank you. I just wanted to -- were the additional slides in the backup too? That we didn't get to in your presentation?

>> So the report I wrote for the clients is what is in your package, and that is different than the powerpoint. It has the same elements that are in the powerpoint presentation, but they are different. Because I had to concise it to five minutes.

>> Troxclair: Okay. Thanks.

>> Mayor Adler: I'm sorry, yes.

>> Yes, yes. Hold on one second.

>> Tovo: Ms. Belle, I'll ask one more question. I'll ask the same question of staff in a little bit. I was reviewing again your summary of the firm and the buildings they have as registered Texas historic landmarks. Are any of the houses they worked on as far as you know either registered Texas landmarks or within our historic designation program here in the any.

>> Yes. Actually that should have been recorded. So the smeades house is in Austin, and it is a national register historic landmark.

>> Tovo: That's one from the same firm?

>> Right, the same firm. And then the house that is in Pease park, which is in the district, was also built by them.

>> Tovo: The tutor house, I'm sorry, I see that a little later in your report. Thank you.

>> Mayor Adler: Five minutes.

>> Thank you, Mr. Mayor. Council, thank you for your service, Glen Coleman against the applicant, historic zoning of the home.

[7:21:57 PM]

I want to pause for a moment and lay out the charge, and for some of you who have not been through these case brothers, I think most of us have, so in considering -- if you wish to move against the riskins you must find affirmatively this home meets one of fire criteria, typically the two that are being asserted here today are architecture and historic associations. You can consider anything. You can consider the color of your shoes or the sky, but you must find affirmatively if you wish to engage in action against the riskins that the house is against the criteria. The key is exceptional significance in architecture and longstanding significant associations with the house. Those would be our two criteria moving forward. This is the first reading, so you'll need six affirmative votes tonight if you wish to advance to second

reading. If you do so and decide to landmark this property you'll be giving a tax break to a fairly affluent couple in west Austin who absolutely doesn't want any amount of over \$100,000 over the next 12 years, \$3,500 a month from our schools, city, and Travis county. This couple is offering you an opportunity to expand the tax base by expanding the home, and, yes, I know it's a big rich house, why are they making it big center that kind of helps everybody in this room in a sense, more money for us, school children, school teachers. I would submit instead of taking \$100,000 out we let them expand this property and contribute to our tax base. Historic percentages. Staff is asserting two. I'm not going to spend a lot of time on George Bryson. You can see he went to exciting tea parties staff provided you information on. He lived there fewer than four years. Did he endow a library, school, administrative name? Give me something before I spend more time on before Bryson that was suggested was a person of historic importance.

[7:24:03 PM]

He wasn't even a cotton farmer. He was a broker. Critz is a person of interest. This was a very interesting person and definitely on the right side of history? Williamson county, Georgetown, he assisted Dan Moody in prosecutions of the clan, didn't assist a lot but mentioned here in the Moody biography, which the library has two copies of, recommend you check it out, pretty interesting. I think reading the tea leaves I think he was a political supporter of Moody's, he's not named prominently, but all this took place long before Austin, Texas, and long before this house. Unfortunately, once he was appointed by James Alford and became a supreme court justice, we can't find a single opinion that Mr. Moody wrote which has been referenced later by law schools or anyone, any historians to have significantly impacted the course of Texas law. I would argue in his early career he was a person of significance in his early career and he did have an impact worth noting and stopping and discussing and recognizing. But later in life, at the time he was in this house, he was, put this diplomatically, a sincere public court justice with clear opinions who chose mostly to regulate the oil and gas industry. I'd like to consider the long span of time between the time that he achieved with Dan Moody what is historically relevant versus the time that he actually lived into this house, which was 1935. This is Italian Renaissance Revival. I am a philosophy major and don't have Ms. Belle's credentials but you can look with your eyes and see what is meant by exceptional style and I urge you to compare that to the house that you've been staring at. The 19 -- the porch for starters, porch that looks like it came from Home Depot, it may have come from Home Depot, not there in 1960.

[7:26:11 PM]

The original architect drew a beautiful porch in. It bothers me staff is telling you at the same time I'm telling you these changes don't matter. Question, if the owners of this house had come to the historical certificate of appropriateness committee and said we're changing the roof, enclosing the

[indiscernible] Put a modern garage on, gone to home Depot and got iconic columns to put on the front would that afford them a certificate of appropriateness? Certainly not. Now that these changes have already been made you're being asked to render the house historic and I don't think that's fair. Look at the house as it's being presented to you. There's a reason that the neighbors signed a valid petition. Talk about community value. I think the neighbors have expressed clearly what their community value is, and I hope that you will do so as well.

[Buzzer sounding] Thank you for your time and we'll take any questions you have.

>> Mayor Adler: Thank you. Mayor pro tem.

>> Tovo: Mr. Coleman, I'm going to go back to a point you were making about the tax exemptions. Are your clients aware -- I think you indicated that they don't have an interest. Would you mind stating again what you said about the tax exemption?

>> Well, yes. I think the clients want to move forward with the plans that they have. Which would mean they were not eligible for -- necessarily for -- apparently for this tax exemption if you landmark the home the exemption kicks into place.

>> Tovo: I just wanted to point out something for the public, as well as for your clients, no one is required to apply for that tax exemption, and in fact I know at least one owner of a landmarked who has not applied for it, they landmarked their house and they never applied for the tax exemption because they didn't need the tax relief. So I think that that is -- it is wise to know what that tax exemption is, but they are not required and it would actually take proactive work on their part to apply for it.

[7:28:12 PM]

>> Thank you, mayor pro tem.

>> Flannigan: Mayor.

>> Mayor Adler: Yes, Mr. Flannigan.

>> Flannigan: I appreciate that context, mayor pro tem. However, I think -- I don't think it's fair to say that any taxpayer shouldn't take the exemptions that they're offered because we don't want to create a system where people who agree with what we're doing pay the taxes and people who don't agree with what we're doing don't pay the taxes. There are plenty of taxpayers in this community who support what we're doing. There are plenty of taxpayers that don't support what we're doing. But I think everyone should pay the taxes they're legally required and obligated to pay. And these are types of arguments that sometimes we hear petition national level that if wealthy people really support what's happening at the federal level than they should pay more taxes on their own, but that's not fair to anybody. So I don't think it's sufficient to say that if we give them historic designation they don't have to take the tax exemption. I just don't think that's how the system works or it's not how it should work.

>> Mayor Adler: Yes.

>> Tovo: With all due respect, your comment, I'm not sure what in what I said suggested that anybody, anyone among our taxpayers, should pay more. I'm simply pointing out, because there was several assertions about getting a tax exemption that they didn't request, I'm simply pointing out it is a -- it operates as a procedure for which you need to request it. And --

>> Mayor Adler: Further discussion on the dais? I think those were all the speakers that we have. Is there anyone else signed up wish to go speak that I haven't called on? Okay. We're on the dais. Any discussion? Is there a motion?

>> Flannigan: I have discussion.

>> Mayor Adler:

[7:30:12 PM]

Mr. Flannigan.

>> Flannigan: So Mr. Sadowsky, just a couple questions on process since we're not finishing this case tonight, I won't belabor the points, but what is the role in your opinion, when making a decision on historic preservation, is it relevant to the question of historic value what might become of this property if it's not so designated?

>> Yes. That is the reason that the historic landmark commission advanced case to begin with. Because of the building permit application that was filed that would have transformed this house to something unrecognizable from what it is today --

>> Flannigan: I understand that. But whether or not it becomes unrecognizable is irrelevant to whether or not what it exists now is historic. My fear in bringing this up is that we end up treating historic designation as a land use tool, which it certainly is not, to say we don't like what's being proposed so let's make historic what's there now, even if maybe it's not super historic. So the plans are irrelevant to whether or not it's deemed historic. Now, historic district is a little different because --

>> Right.

>> Flannigan: It's about style, consistency, et cetera. And then I think -- I have questions about the certificate of appropriateness, but maybe we'll save that for later or can meet privately and talk about that.

>> Okay.

>> Mayor Adler: Okay. Discussion, councilmember alter.

>> Alter: I don't know if this would be Mr. Sadowsky or the applicant, but I would like a little more clarity on what it was that they were proposing that they wanted to do and how it would be transformative.

>> Okay.

>> Alter: There was an addition, but beyond that.

>> Mayor Adler: Do you want to come up and tell us what you were planning on doing?

>> Sure. So the current house is basically 3500 square feet for the main property.

[7:32:17 PM]

It's not aligned to the center of the property. And it doesn't really make use of the entire lot. And our goal is to have a large family that we can also host our extended single family and to also be able to fit the square footage. We're not adding 3500 square feet. We're looking to add 2,000 square feet. And when we went to the certificate of appropriateness committee it was about a five-minute conversation, where they said you can't change anything on the front exterior, you need to treat it like it's already a landmark or we're going to take you to the city council. And that was kind of the tactic. And so we -- we're under contract. We got a lot of feedback from our neighbors, from architects, from our experts, that was much more in depth than the five minutes we had at the coa meeting. And closed on the property with the idea that we were going to fully explore this. As we explored it we learned more. We had a tree survey done and we have five heritage trees on the property. Those have enormous critical root Zones so we learned we're actually more restricted than we thought to fit within, you know, the tree ordinances, with the mcmanions, and all the setbacks, and so that 2,000 square feet was going to be actually pretty difficult. It took us three months to kind of work through this puzzle with our architects how to fit that existing -- additional square footage into this lot, so we had scheduled a tree consultation with the city, which we ended up having to postpone and we're going to have it next week now that we figured this out. When you add the combination of keeping the entire front exterior with the critical root Zones of the trees and other mcmanion ordinances we thought long and hard about how to not go through this process and how to do this with, you know, historical preservation in mind and we came to the certificate of appropriateness, we keep the front portico or could we keep aspects of the windows or the notches above that, you know -- if we could come up with portions of it that we would keep, then it would make it more viable.

[7:34:39 PM]

But they pretty much said there's no room for discussion, you either keep the entire front exterior or we're going to city council. So that really tied our hands. I mean, we had many conversations at night trying to brainstorm storm with architects trying to build around this and fit within critical root Zones and it wouldn't work for our family. This is a big investment, something we'll keep for multiple generations. If we could have had a conversation about elements of the front exterior we definitely would have had that conversation but it was an all or nothing proposition.

>> Alter: Is the diagram on the bottom of this slide no longer accurate?

>> It's actually smaller than it looks because we had to scale it back based on the critical root Zones. And so, you know, this diagram I think we had looked at adding closer to 3500 square feet but we scaled it

back based off the critical root Zones and also some of the mcmansion ordinances that we learned more about because we thought that we could get certain attic exemptions which we're not able to do within the design. It's important to note the existing structure wouldn't meet mcmansion ordinances because it's too tall and the height of the attic is over 7 feet for about 2,000 square feet, so that would count against us as well as for our far. So there's a lot of practical considerations with a hundred year old property. If you drove by the property today you'd see the lawn is dying because there's 100 year old pipes now leaking that we had to shut the water off on the property and get a new meter so we could water hose the lawn because they're paper thin. You can put your finger through the water pipes. So we can't retrench the property until we get through this, through this process for a permit, so the lawn is dying, and I'm sure there's a community value that our neighbors are probably not so happy about. But it's -- you know, we would have loved nothing more than to incorporate aspects into it, and we thought with our design that we were honoring kind of the spirit of the neighborhood.

[7:36:46 PM]

Our neighbors agree with us. But it's just, you know, impossible for us at this point after three months of engineering without that, for us the priority was to take care of the trees, you know, first. And then to fit within mcmansions and then to preserve what we could, knowing that this isn't the exceptional architecture in the neighborhood. The exceptional architecture is nearby.

>> Mr. Sadowsky, could you speak to the mcmansion question and what the constraints are for this property a little bit.

>> Designation as a historic landmark wouldn't affect any mcmansion.

>> Alter: I understand that but I'm trying to understand what they -- I know what they proposed, but it doesn't -- just because he's proposed something doesn't mean that was allowable in the first place. And I'm trying to understand the mcmansion constraints totally apart from the historic landmark piece of this.

>> I unfortunately, councilmember, I'm not an expert on that. I do know that when these plans were filed, they go through a zoning review. So if they were in violation of mcmansion they would have been tagged at that time.

>> Alter: Okay. Thank you. So if this moves beyond first reading that will be something that I'll want to look into. Thank you.

>> Yes.

>> Mayor Adler: What is on the slide just in front of this one? It looked like an oblique view of the property that showed the back of the house. It might have been a page or two earlier.

>> I'm not sure there's a picture of the back, but there's an addition --

>> Mayor Adler: There was one that was like a three dimensional view.

>> The rendering this one?

>> Mayor Adler: That.

>> This is the proposed. This actually is having to be scaled back because we have two heritage trees. In the back of the property, which are quite beautiful.

>> Mayor Adler: Okay. And if I can just say as well there's an enormous heritage tree towards the front right of the property.

[7:38:53 PM]

There's a heritage tree on the left side of the property, and there's a heritage tree where the side portico is that is completely impervious and must have been built before we had tree ordinances.

>> Mayor Adler: Okay. Thank you. Councilmember troxclair.

>> Troxclair: So this is current and accurate of what you're proposing or this was before --

>> No. This was before. We've had to spend months with our architect figuring out -- and a tree expert to figure out how to make it all fit within the critical root zone requirements and also with the mcmansions, because, you know, there are setbacks and then there's far requirements and there's impervious.

>> Troxclair: I'm trying to figure out the scale. This represents about 3500 square feet addition and you've scaled it back to 2,000 square feet now?

>> Yes. This represents also a pony wall, looks like it would be a third story and we're not doing that because that would impact our far so we actually are not having that pony wall. It will look like a true two-story building the way it does now.

>> Troxclair: Thanks.

>> Mayor Adler: Okay. Thank you. Would you -- and you can go ahead and sit down. Thank you. Oops, no. Wait a second. Mayor pro tem is going to ask you a question, and then I have questions for Mr. Sadowsky.

>> Tovo: I'm trying to get a sense of the time line. You've talked about working with an architect on the design, but all of that it sounds like happened after you purchased it, which was after you already knew that there were landmark potential -- there was landmark potential here.

>> You want the short version or the long version?

>> Tovo: I guess what I'm wondering it sound as if you continued to proceed with the design though it had been -- you had clearly been informed there was a possibility it would be suggested for landmark designation.

>> I'm sure that some of you have built houses before, but, you know, there's three steps typically. There's the dd's, or the design drawings and there's the schematic drawings -- I'm sorry, the schematic

drawing is first, then there's design drawings, which go into much deeper form, and then there's the construction drawing.

[7:41:05 PM]

So this was at the stage of the schematic drawings. So as we've gone through the schematic drawings and design drawings we've actually refined it and been tailoring it to fit all the ordinances before we go to permitting with the construction drawing. So we spent some money with architects to do a conceptual schematic drawing and get through some of the initial hurdles we were advised were appropriate with the certificate of appropriateness committee. After that five minute conversation we went to the hlc and there was another five-minute conversation, they didn't ask any of these questions, quickly voted it on. Immediately there was sort of like the one thing they didn't want to talk about, they just voted it through. And then that was the extent of it. We spent countless, countless hours in between that learning more about it, and then reflecting on it, and refining it in terms of how we fit within the other ordinances. So this was an involving process. I wish we had the opportunity to have a deeper conversation with the hlc, but we didn't.

>> Tovo: Well, I guess, though, I think it sounds though as if you continued the design work even after your interactions with the landmark commission.

>> We did. We took into consideration not just Ms. Belle's input but other historical experts who all pretty much told us the same thing, in that, you know, really kind of motivated us to keep fighting, because, you know, we felt like this is our family's investment for multiple generations and we're not going to roll over for three folks who didn't even talk about it with us and another seven folks who didn't really want to talk about it with us. So, you know, this was a fight worth fighting for us?

>> Tovo: Okay. Thank you.

>> Mayor Adler: Thank you. Now I think you can sit down until someone calls you back up. Thank you. Would you respond to the report that was prepared by their expert who is suggesting that this does not have the architectural integrity to qualify?

[7:43:14 PM]

>> Sure. We all know there are designs created and then as-built. What we're looking at is not necessarily the house as it was designed, but this is the house as built, the 1923 house, and that's what we look at. Does it maintain its integrity of materials and of design? It does. This is the way it was built. Those aspects have not changed. So even though the plans may show something different, this is the house that was built and has been in existence since 1923.

>> Mayor Adler: Okay. So is it important -- someone will call you up in a second if they have questions. Is it -- is it important that it represent the true -- I hear you saying it doesn't make a difference if it

represents true Italian renaissance so long as it accurately reflects what it was when it was built in 1923? Is that the standard?

>> Yes, to an extent, Mr. Mayor. What it is is that the -- this house does represent the Italian renaissance style. Plain and simple, it does. It's not as grandiose an example as the -- grandiose as the one on Niles road but it does represent the style and does it very well. Beyond the actual style, it's the story that a house like this tells. This house was built during the roaring '20s, designed to be a real show place at the time it was built and succeeds in doing that, it's very imposing on its lot and on a street of very large houses just like it. So, yes, it's a very good example of the style, albeit toward the modest style or modest side of the style. But the fact that it's intact is equally as important that there have not been major modifications to the house. Yes, the roof has been replaced.

[7:45:15 PM]

And there's been a garage door and some infill. But those don't -- those things don't affect the overall integrity and interpretation of this house that is necessary for it to represent an architectural style for educational purposes of, oh, this is what the Italian renaissance looks like in Austin, Texas. We've got the house on Niles road, we've also got this. There were variations. Colonial revival has a number of variations too, a very widespread style. But I don't think we want to fall into the trap of saying we've got one colonial revival house and that's all we need. I think we can look at all of these houses as representing individual stories, and the question for you is, is the architecture intact enough to be able to tell that story to represent itself as a piece of this Italian renaissance revival architecture. Staff believe that, yes, it does.

>> Mayor Adler: Further discussion, questions on the dais? Councilmember troxclair.

>> Troxclair: So why -- actually, I'm sorry, can you go back to the presentation, the slide that shows the front of the house? Why -- I guess I'm not understanding. I understand that there might be a difference of opinion of what -- whether or not this is a great example of this style. But based on what they're trying to do, it doesn't seem -- I don't know it seems like they're maintaining at least a lot of the exterior components that made it historically worthwhile? I'm just not understanding. I think councilmember alter maybe tried to ask this question earlier but I wasn't sure of the answer. What about these changes makes it no longer historically significant? I understand that they're adding a wing on the side so that makes it not -- the whole house not exactly symmetrical, but why -- I mean, if the point is that it's a grandiose house and -- I mean, it doesn't seem like it's not going to be all of those things that you just said anymore.

[7:47:22 PM]

It seems like it's still going to be those things, just with an extra wing on.

>> Actually, there's quite a bit more that's different here. As I said earlier, there's nothing that exists on the house right now that is going to remain through this plan. The windows are enlarged, in different patterns, the portico is different, there's a new half story built upon it. And, yes, I mean, this house when it was built in 1923, it was a very grandiose house. What we're seeing here with this -- plans for the new proposal for this house is a house -- is a big grandiose house built in 2018. It has absolutely no relation to the historic architectural features that exist today. Everything is being removed. There's no helpful bracketed eave, the windows are different, portico is different, everything is different. This is basically going to be a brand-new house. As far as the way it presents itself to the street. And I do want to also, too -- I feel like I need to defend the reputation and integrity of our certificate of appropriateness review committee because that's not the way that this happened. What they said was your plans would make this house noncontributing to the historic district. And we encourage you to look at other ways to achieve your additional square footage on the house without changing the front of it. That's what people see from the street. They did not say don't do this or we're taking you to city council. They never said that. So I just feel like that's a mischaracterization of the way that meeting went, and I feel like we're -- you know, we're kind of throwing the certificate of appropriateness review committee under the bus a little bit if we allow that to go without being defended.

[7:49:32 PM]

>> Mayor Adler: Thank you. All right, council, my sense is as we have this conversation that this is probably going to pass on first reading but it can only pass on first reading, which means it's going to come back to us again. We have a lot of people here waiting to testify on the budget matter. So let's continue this conversation but I would suggest we try to get there as quickly as we can. Councilmember pool.

>> Pool: I just wanted to walk through the slide that's on there because I was not actually seeing this properly, I don't think. The color picture is the existing structure, and the drawing down below is what is proposed.

>> Correct.

>> Pool: Thus, the third story.

>> Second and a half story, yes.

>> Pool: Right. It goes up --

>> Additional story.

>> Pool: I can see very clearly what you were saying about the window patterns are very different. The original structure has the three panes as a triad and here you have them spaced out, second floor is very different and you have that second and a half story which is not part of the original structure. So when you were saying that it seemed like it was an entirely new structure, it took me a while for my visual interpretation of these two documents. I don't know if anybody else was having the same difficulties as I

was, but now I understand exactly what you were saying. It is completely different. Even to the extent that it looks like they may be trying to go back to the squared off portico instead of the rounded one.

>> Yes.

>> Pool: And so I think this case -- and I will be voting in support of the motion that the mayor pro tem has made. I think this case gives us kind of the breadth and heightth of our historic landmark designations. As you point out, there are ways that you can change a structure yet stay within the envelope, if you will, of what continues to be appropriate for the design.

[7:51:39 PM]

We frequently have people come to tell us that if we put their home either in a historic landmark district or we mark a home as a landmark that they will never be able to change anything. And it's very clear to me from this conversation that, yes, you can change things. You may not be able to change them as completely as this potential redo is, but things that can be done within the historic designation. And am I following along pretty well with --

>> You are perfectly.

>> Pool: Okay. Thank you. And I appreciate the applicants coming with their request. I appreciate you filling us in on possibly a more accurate description of what happened at the certificate of appropriateness meeting and also for the staff who have worked so diligently on pulling this together and the historic landmark commission that brought it to us. Thank you.

>> Mayor Adler: Can I ask for a motion on this? Mayor pro tem, do you want to make a motion?

>> Tovo: Yeah, I'd like to move historic designation on first reading.

>> Mayor Adler: Is there a second to that motion? Councilmember Houston seconds that motion. Continuing on, yes, Mr. Flannigan.

>> Flannigan: So just for Mr. Sadowsky, you don't have to come up, just things I want to talk about -- you don't have to come up, but things to talk about the next time around is the comment you made about we don't want to fall into the trap of we've got one colonial house so we don't need how many others, I'd be interested to know on how many is enough. And then the -- there's mirror detail I'd like to hear on the style because the examples I've seen seem to -- the drawings they're putting out, the windows look more similar to the style than maybe what's there now. And then the historic district in question is not a local historic district like we debated earlier on a separate case.

[7:53:42 PM]

This is a different kind of historic district so I'd like to know more the difference between the two, especially as it relates to these types of decisions.

>> Mayor Adler: Okay. You want to --

>> Tovo: I'll have more, but I have just some of the things that I would have wanted to explore with you, Mr. Sadowsky. I think it would be useful to have some context about the cotton industry and its importance during the period where Bryson was a partner of Malcolm Reed. I'm familiar with the Reed estate, and the Reed house. I mean, the cotton industry is significant and it's my understanding from your information, though I'd like to query this a little further, that Bryson was actually a partner in that firm so I think there were some assertions that they were sort of buying and selling cotton. I think it seems to me from my relatively limited knowledge that was a pretty significant industry in the formation of Austin around that period of time. I'd like to talk with more detail about the significance of the individuals, but also the extent to which just delving in a bit -- delving in a bit more to how this structure meets the ordinance because that is the requirement, that a structure that is suggested or initiated by the council or by the landmark commission, if it meets those criteria, then we have the discretion to zone to historic. So it is a little bit -- that's kind of how I'm being guided. Then I have some more specific questions about I think -- it looked to me like they were changing the exterior facade from brick, but that may not be the case, but I'm interested to know if that's one of the alterations as well. Then I have some others, but I'll forward them on. Too, it would be good to know what the impact is of losing a contributing structure within the national register district and how frequently that happens.

[7:55:43 PM]

I'm particularly concerned about the discussion we had a little earlier about community value. You know, that's something I actually initiated some changes to, and I'm real eager to have that discussion and see some fuller description of that in the ordinance. But I think it's of grave concern to me if we -- if structures no longer have an opportunity to meet community value because there are demolitions across the street. And as we had that discussion with the architectural historian, the same could be true once -- if this is allowed to be altered in a way that, as you describe, would be tantamount to its demolition with regard to its historical significance, historical integrity. That's some of where -- some of the exploration I'd like to do.

>> Mayor Adler: It's your motion to keep open the public hearing -- close the public hearing?

>> Tovo: Keep it open.

>> Mayor Adler: Keep the public hearing open. Continuing conversation on the dais before we take a vote? Councilmember Troxclair.

>> Troxclair: Yeah I know we're trying to be really fast but I -- and we're just coming into, like, the end of this process, but I heard the owner say that he's willing -- that they're willing to talk about incorporating a lot of the exterior elements into their final design. So if it's not -- just something to think about between now and I guess second and third reading. I mean, if your main concern is just the windows and some of the true, you know, exterior front-facing disasters not necessarily the -- features and not

necessarily the square footage on the side of the house and their main purpose is adding additional square footage, maybe there's a way to come together on this. Maybe.

>> Mayor Adler: Okay. Ready to take a vote? Take a vote on first reading, keeping the hearing open to initiate the historical zoning. Those in favor please raise your hand. It is Alison voting for it, mayor pro tem, Ms. Houston, and Ms. Pool.

[7:57:47 PM]

That's five votes. Councilmember kitchen, one, two, three, four, five, six. Those opposed please raise your hand. It's Renteria, Flannigan, and trox -- troxclair, two off the dais. Moves on first reading. Let's now go to budget.

>> Kitchen: Mr. Mayor, could I make a comment?

>> Mayor Adler: Yes.

>> Kitchen: I voted to move it forward for further conversation because I understood we needed six but I'm not convinced that this meets historic designation. So I just want to let everyone know that I'm going to have to have some more conversations about this.

>> Mayor Adler: Okay. Yes, councilmember alter.

>> Alter: I had to leave earlier about 4:30 for a family emergency. And I know that not all my colleagues are on the dais so I won't ask to reconsider the 380 agreements but I would like to be shown that had I been able to vote I would have voted in favor.

>> Mayor Adler: Thank you. So noted. Yes, mayor

>> Mayor Adler: Thank you. So noted. Mayor pro tem.

>> Tovo: My colleagues may have done that, but if you haven't had an opportunity to drive down that street and see this house in its context, I would really encourage you to do so, and to think, too, I want to see our historic preservation program be successful, and if this -- and this seems to me a pretty clear case where both our staff and our almost commission have solidly -- have solidly recommended it, and I think the reason that the discussion was so quick at the almost commission, which is somewhat unusual, they usually do spend a fair amount of time deliberating, is that it was such a solid case, so I would really encourage you all to drive by it and take a look.

>> Mayor Adler: Okay. Now let's go on to the next item. Yes, manager?

>> Mayor and councilmembers, it's great to see so many members of the community out here for the public hearing of our budget, after it was presented to the budget to council for consideration on August 6, the process in which we got to that place involved a lot of interaction and engagements from the community and sort of framed the discussion around the budget.

[7:59:56 PM]

I'd ask he had van eenoo, our budget director, to give a few words before we get started with public testimony.

>> Good evening, mayor, mayor pro tem, members of the council, and welcome to our hundred-plus community members that are signed up to speak on the budget this afternoon. We're pleased that you could all be here and take the time out of your day to provide testimony. Just before we receive that testimony, I thought it would be helpful to provide some context on the overall budget that is before council and the community for adoption -- not adoption today but adoption later on in the process, our 2019 budget proposal. I'm going to be largely just hitting on highlights from this fiscal year 2019 proposed budget snapshot that you all have at the dais, and it's also available to our audience that's out here on the table, if you haven't received a copy yet. Our budget for fiscal year '19 is proposed at \$4.1 billion. That's our all-funds budget that funds our two enterprise departments, the airport, convention center, and also our general fund. It's roughly a 4% or \$156 million increase from the current year budget. And in the case of the general fund, it's supported by a proposed tax rate of 43.85 cents per one hundred dollars of taxable value. That's nearly a 6 -- a little bit more than a .6 reduction of the current tax rate. I think, importantly, when you look at the tax rate that's been proposed in relation to the state defined calculations of the effective tax rate and roll back tax rate, this tax rate represents a 4.9% increase rate and that's the second lowest tax rate since fiscal year '10-'11. Further is an increase council approved earlier in the year to general homestead from 8% 2010% and it's a budget that maintains an exemption for jeans at \$85,500, which I would just mention is the same as what both Travis county and central health offer to our senior population.

[8:02:12 PM]

In regards to our enterprise departments and how they're funded, there's only one enterprise for which we're proposing a base rate increase. That's the transportation user fee at a proposed increase of \$1.27 per month. If you look down at the tax and rate fee, I have some good news there. We learned earlier today that our Austin energy rate tariffs are going to be a little bit lower than what we initially thought they were going to be. So actually, if you look at that handout where it talks about a projected increase of \$2.76, that's now going to be a \$3.36 decrease in the bill for a typical Austin energy customer. I wanted to highlight that to you as something we learned earlier today. We weren't able to get the handouts updated in time. Where it talks about a 2% increase in taxes and fees for a typical austinite, that now will be 1.8%. So I just wanted to provide you that little bit of good news. In regard to some of the highlights, if you flip over to the next page, we have structured this budget for the first time and we're structuring these highlights around council's new strategic plan and the strategic priorities that you identified in that plan. I just want to hit on a few areas that we think were important in regards to economic opportunity and affordability. One of the highlights is that for the first time since council updated the calculation of the transfer to the housing trust fund, in support of affordable housing projects, we've been able to fully fund that policy at \$5.3 million, chase \$3.1 million increase over the

current fiscal year. Homelessness continues to be a large issue for the city and a high priority for the community and the council. The budget that we have before you builds on the \$26 million of funding that was in the current budget with an additional \$3.1 million for homeless programs. Then I'd also highlight that earlier today you took action on the chapter 380 policy, the revision to that, and our budget includes \$1.2 million to support the implementation of that new 380 policy.

[8:04:17 PM]

In regards to safety, I think we have a lot of good stories here, including \$5.4 million in our capital budget for the expedited construction of two new fire stations at Morris crossing and Travis country. We're adding 16 firefighters to this budget in preparation for the opening of a new fire station in the onion creek area. And then we have \$5.7 million for staffing and equipment for 33 new police officers. And just kind of wanted to pause a little bit on safety because I know it's an area of concern and interest for a lot of our community members and just highlight that in the four years since we've been in a 10-1 council, there has been some truly significant investments, I think, in public safety during the four years of 10-1, we've seen just short of \$108 million increase in our three public safety departments, police, fireworks and emergency medical services. That's nearly a 20% increase. With those funds, we've been able to add 83 police officers, and I would just also mention that one year we added 21 civilians, which allowed us to redeploy some officers who had been doing non-field duties to the field so in a sense we've really seen 104 new boots on the street to help with policing activities. In regards to EMS, we've been able to add 85 paramedics. A large part of that related to transitioning to a 42-hour work week, which was a big priority for our sworn personnel in that department. And we've also added 68 firefighters in those four fiscal years. I've already mentioned the onion creek fire station. We also opened a fire station earlier at shady hollow, and again we're expediting the construction of two more fire stations at Morris crossing in the del valle neighborhood and in traffic country.

-- In Travis country so in four years we've built or are in construction of four fire stations. In regards to mobility, the only thing I would focus on there, nearly \$67 million of planned spending and mobility projects from both the 2012 and 2016 mobility bonds, some significant investments improving how we get around the city for culture and lifelong learning.

[8:06:31 PM]

Of course artist space is a big priority. There's \$400,000 in the budget to enhance funding for our arts space assistance program. And of course I wanted to mention in that area \$11.2 million going from our hotel taxes to the new historic preservation fund, which is the maximum allowable 15% under state law. In regards to health and the environment, you can see there's a long laundry list of things that we're adding to our health department. One thing I'll just mention, that in total, we're adding 4 and a half million dollars of funding over and above base cost drivers, so wages and health insurance, workers' comp, those things of course go up every year, but over and above those increases for our health

department, we've increased funding by four and a half million dollars. In regards to the parks department, those bottom three bullets under health and the environment, \$1.8 million additional funding for our aquatics programs, \$600,000 to improve parks, grounds, and facilities and playground maintenance, and then additional investments as well in our urban forestry program. One highlight there, where our budget currently stands, we are just short of a 10% increase in our parks department funding from the current fiscal year to next fiscal year so we've been able to make some significant enhancements to our parks department. Then finally in the government that works outcome, I would just note that a big priority for a lot of councilmembers in the community has been the state of the condition of city facilities, and so for the first time since council has approved a new policy for funding deferred maintenance, we've been able to fully fund that policy at six and a half million dollars. So we think it's a budget that truly reflects the council's priorities, the community's priorities. We are very happy to present it to you on August 6th for your consideration and be very excited to hear the community's reaction to it here through their testimony.

[8:08:36 PM]

>> Mayor Adler: Just a quick question. With respect to the first page, the numbers that we have set up, this is the first time I can ever remember having a water rate decrease. So it's exciting to see that. It's the first time I've ever seen that. This is only the second time I've ever seen an energy rate decrease. And, again, the first time I've ever seen both these in the same year. And I know people are going to look forward to that on their utility bills. On the property tax bill, the council, some members of the council had indicated a desire to do a senior and disabled homestead exemption, which was not included in the budget. That and other things would require us to move the tax rate up in order to be able to afford doing those things. The council a couple weeks ago committed to not go to the full extent that the council could go to, but something higher than what had been proposed. I think it had it -- with that maximum rate, which I think was 6% above an effective rate, you indicated that the property tax bill -- do you know what that number would be?

>> If council went to the full 6%, it would add about \$10 to the increase. So instead of a \$61 increase, you'd be looking at a \$71 increase. But then you've also been talking about increasing the senior exemption. Depending upon how much you increase the senior exemption by, it could more than offset that \$10 increase for our seniors.

>> Mayor Adler: Okay. It would be going up 10 but down the 336 for the electric rates?

>> Yes.

>> Mayor Adler: So it would be then uptown, three and a half -- so it would be like 680 something, but if there's a senior, it could drop even lower than that.

>> Seniors even lower.

>> Mayor Adler: So as soon as you run those numbers and can get those numbers for us on this page, I think that would be helpful because I think that's something that council is talking about doing, and I

think that it would be really helpful if we could get that out for the public and the media to be able to see that as well.

[8:10:38 PM]

>> Yes, sir.

>> Mayor Adler: All right. Council, I think as quickly as we can we'll start hearing from people. Our normal testimony on this would have us limiting the amount of time that speakers have after the first 20 which we can do. We have a lot of people that have signed up to speak on these two items, and while we want to have people be given as much time as possible to speak, the later we go, we're going to start losing participation and effective participation because we just run out of time. And we have, as was indicated, 114 speakers signed up. Does anybody want to speak before we go to public? Ms. Troxclair?

>> Troxclair: Yes. Mr. Van eenoo, just quickly, what is the reason -- I know you said it is a tariff change, but what is it about the Austin energy and Austin water that is --

>> It kind of happens every year. We know we can control the base rate, so the rate that we control that we pass on to our customers to run our business, but there's certain fees that we can't control. One is the power supply adjustment that reflects the cost of fuel essentially, and then also the regulatory charges we have to pay as part of our participation in the Texas grid. We don't control those and we never have a final answer till after the budget is adopted. So this is just new numbers related to the regulatory charge and --

>> Troxclair: So the state decrease?

>> The ERCOT fee came down a little bit.

>> Troxclair: So it's nothing the city council did.

>> No.

>> Troxclair: Okay. I just wanted to -- thank you for that. And then, mayor, since you said that the only way that something like the senior homestead exemption could be increased was by raising the tax rate, I also wanted to remind you you could also adjust your spending with the existing budget and keep the same tax rate and also implement a senior homestead exemption.

>> Mayor Adler: Okay.

>> Houston: And mayor?

>> Mayor Adler: Yes.

>> Houston: Could I ask Mr. Van eenoo before he sits down, can you remind me what's included in the transportation use?

[8:12:44 PM]

Because it's going up \$15.

>> The transportation user fee is the fee represented here is what a residential customer would pay. There's a different fee for commercial businesses that I don't have memorized, but it supports our public works department and our transportation department, so pavement management, striping, and signage, mobility projects, that's what the transportation user fee supports.

>> Houston: So mobility projects outside of the bond?

>> That's right. So kind of -- the bond monies a lot of times are focused on major street reconstructions and expanding the network, just regular routine maintenance, some of that is funded through our transportation user fee.

>> Tovo: Mayor, tonight wouldn't be the appropriate night because there are so many people waiting but I'm going to ask Mickey of our water and wastewater commission to share with the council the email she sent to me. She has been involved and very active on several of our commissions, and she has provided -- she provided me with a description of how exactly changing our impact fees back in 2013 -- you know, we weren't collecting, we weren't charging full -- we weren't doing full cost of recovery on Austin energy or on our water hookups for new development, and we made that change, and again, once our staff have sort of verified this, I'd like for her to send it to you because it really traces how that change, which was a council action, has trickled through to Austin water utility's ability to pay off debt, which has had a direct impact on our rates, and it's really compelling and I think helps us understand why we are in the position we are and the extent to which that was really -- it was not just a council action, it was a lot of community input and a lot of great work on the part of the our volunteer commissioners and our staff.

[8:14:55 PM]

>> Mayor Adler: So, council, let me go ahead and tee this up, then let's talk about timing and speakers. We're going to take up agenda items 50 and 51. Item 50 is the item to continue to hear public comment on the city budget. We began that earlier. Item 51 is our second and last of two required public hearings to receive comments on the proposed maximum property tax rate of 44.20 cents, 44.20 cents per 100 valuation for fiscal year 2018-19. The budget and the actual property tax rate will be adopted here in city council chambers on September 11th, 2018, at 10 o'clock A.M., with additional readings on September 12th and 13th if necessary. I'm going to call up the public. We have 114 people that are signed up. If everyone spoke for three minutes, that would have us here for almost six hours listening to testimony. That might be good for the first people that talked, but people are going to be speaking then at 2 o'clock in the morning. We also have had under our rules the ability for people to come up and speak, and that is public hearing, so everyone who wants to get a chance to speak needs to be given the opportunity to be able to speak. We've also, in situations like this, limited speaking to one minute and people could have donated time in order to be able to increase the amount of time that they have.

Should we let everybody get out of here in the next two or three hours and give everybody a minute to be able to make their most cogent point to us? What's the preference on the council? That's what I would do. I think at some point, we could have medium talking longer but it's not fair. There's no right answer. Mr. Flannigan.

>> Flannigan: I would support the one minute with donated time. It's important for the community to understand this is not the only time you get to talk to your councilmembers or mayor.

[8:16:55 PM]

We all read our emails and get phone calls in our offices. There are vee few people who can be at city hall, so I prioritize input sent to me by email, phone, and outside of this public hearing. So I think as courtesy to folks so that we don't have folks who had to show up late to sign up and being the ones who stay here till 2 o'clock in the morning, I would support the one minute.

>> Mayor Adler: Okay. That's what we're going to do. I'll call the first speaker. Chas Moore.

>> Houston: But, mayor.

>> Mayor Adler: Yes.

>> Houston: One of the other things, if people could not clap during the time -- if they agree with somebody's statement, that helps move people through, and if they could, in their groups, decide one person or three persons to say the same thing.

>> Mayor Adler: Okay. You did have something, though, if people wanted to be able to express approval what did you call those? Jazz hands, if people want to go ahead and do that that way, we can call the next speaker and they can start lining up. What I'm going to do, I'm going to call multiple people and if you could move down to the people and stay in line I'm going to keep people coming so we can move quickly, be able to be here and then leave.

>> Alter: Mayor, I'd be happy to express I'm willing to have more than one minute, but if that's the will of the dais that's what we'll do but I'm willing to go longer if that's what's needed.

>> Mayor Adler: Would you vote to go past 10:00?

>> Alter: With this many for a hearing, yes. We're not making a decision tonight, but I agree we don't make good decisions after 10:00. We're not making a decision tonight.

>> Mayor Adler: Point well taken. Mayor pro tem?

>> Tovo: I feel the same way. As somebody on that side of the dais, you prepare for three minutes and I feel uncomfortable switching it, but again, I'm happy to go with whatever people think is most expedient.

[8:18:56 PM]

>> Mayor Adler: Okay.

>> Casar: Mayor?

>> Mayor Adler: Just.

>> Casar: Just to continue to cut babies painfully in half, I'd be comfortable going with three minutes till 10:00 P.M. And going with one minute --

>> Mayor Adler: Our existing rule would have us going 20 speakers going three minutes, then the people after that going one minute. We could do that I thought that in the situation where we don't have sides in a case like this that seemed to me to feel a little arbitrary to give people that advantage over other people, so unless somebody wants to call for a motion, which anybody on this dais can do, I'm just going to start and give everybody a minute. And we're going to proceed. Chas Moore is up. You have time donated from hope dotty. Is hope dotty here? Thank you. Is Mary Elizabeth here? Thank you. And so you're going to have three minutes, but chas, I hate to do this to you, I'm not going to call you right away because we had earlier indicated two things, that people who were here last week and were driving down when we didn't call them get called first. You were that close, chas. Four people were last time when we cancelled the meeting, some people signed up with translation or have children with them, and consistent with our practice, we're going to call those while we have the translation people here and the like, and we have about ten of those. So let's begin with the people who were coming here last week. Victoria Jara, I can say Victoria Jara here? Sarah Watkins here? You're going to have two minutes, victora Jara. Is Nicki roach here? Nicki roach? Come on down to the other podium. You have time donated by davo. Is davo here? Okay. Good. All right. So then each of those speakers have two minutes.

[8:20:57 PM]

Is Steven frishmeth here? Why don't you come on down too. Is eliah Garcia here? We're going to need interpretation assistance with Ms. Garcia. Let's start there. You have two minutes.

>> Hey, good evening. My name is Victoria Jara. I'm a tenant organizer at building and strengthening tenant action, housed with the Texas Rio grande legal aid. We're a project devoted working with tenants from substandard properties the improve their living conditions. We began a little over two years ago with help from the -- funding from the city. And continues to be made possible in large due to the city funding. And so over the last two years, we've conducted outreach to over 3,000 households at more than 40 properties, educating folks about their rights as tenants and with mobile home residents. We've worked and developed over 18 tenant associations and have supported these associations with getting

much needed repairs, preventing mass evictions, and also working with attorneys and organizers to help organize tenants on their rights with regard to landlord retaliation and prevention in our general line.

So we prioritize meeting tenants where they're at, literally by visiting them at their doors and working with them to address collective concerns that they together prioritize.

And we're committed to making sure that all tenants at our properties can participate regardless of the language they speak.

Tenants in our association speak seven different languages and we provide simultaneous interpretation and strive to translate all written materials.

We have been struck by the barriers that non English speaking tenants face in getting repairs, and so we receive more requests for assistance than we are actually able to respond to, and we also know that the vast majority of renters in Austin, which makes up 55% of our population, are unaware of services available to renters in Austin.

More funding for projects that support renters would allow us and other organizations to address this unmet need and work towards housing stability for every Austinite.

We respectfully request that the city prioritizes the funding of projects that support Austin renters.

Thank you.

[8:22:55 PM]

>> Mayor Adler: Thank you.

Nicki roach?

>> [Speaking Spanish]

>> Good evening, councilmembers.

>> [Speaking Spanish]

>> I am involved in my apartment complex tenants association over at Santa Maya village and I'm also involved with BASTA. [Speaking Spanish]

>> BASTA is a good group that helps us to have a community with each other.

>> [Speaking Spanish]

>> We have connected with many of our neighbors this year to plan the priority needs that we have in each of the apartments and how we can improve them.

>> [Speaking Spanish]

>> We need for the city to give us more support to create more projects and to support renters' rights.

>> [Speaking Spanish] support BASTA.

[8:24:52 PM]

Thank you.

>> Mayor Adler: Gracias.

Thank you.

Steven freshmeth?

Why don't you come on up to that podium.

And then Eliah Garcia will be here.

Sir, you have one minute.

>> Good evening, one and all.

I've met a couple of you.

I'm Steven Frishmeth.

I'm a tenant of cross creek, now creek's edge apartments.

BASTA came, they turned a slum into a community.

I am deeply convinced that BASTA is cheaper than bulldozers and blueprints.

I think they are needed for affordable housing, keeping affordable housing, and saving neighborhoods that may be slipping into Decrepitude.

I really support these folks and won't take up anybody's time anymore.

[8:26:50 PM]

>> Mayor Adler: Thank you, sir.

Elijah Garcia.

>> My name is Nicki roach and I promise I'll only take ten minutes.

Okay?

[Laughter]

I live at fairway village, I've been there about 17 years, and many of you may be aware that we have a multitude of problems, such as unhealthy living conditions, harassment by management, accounting mistakes, unjust evictions, drugs and violence.

As far as I can remember we have been on the repeat offenders' list of code enforcement.

I personally have sought help from the Austin tenants council, code enforcement, southwest housing, and I've even met with some of y'all's members.

Little things have gotten done here and there, but we didn't get to see actual things happen and see the results until BASTA came around.

BASTA came on property and went door knocking looking for people wanting to make change happen.

Through their help, we were able to form a tenants' association.

BASTA empowered residents by giving us knowledge and advice on how to address our concerns.

As a tenants association with the help of BASTA, we were able to accomplish many things.

We are we now have new owners who have committed in writing to do full scale renovations, provide social services for our community, address security concerns, and renew our Section 8 contract.

This was all made possible through BASTA.

One thing I recently learned at a housing conference is the issues that we face as a community is happening globally.

That being said, BASTA is spread thin, you know.

They could use the funds to hire more organizers that would, in turn, make a better Austin.

We would have better communities.

Better citizens.

And that would help Austin completely.

Thank you very much.

[8:28:52 PM]

>> Mayor Adler: Thank you.

Is Shannon Jones here?

Is Zach Schlester here?

Thank you.

You have donated time.

I don't see Zach.

Is Jay Lynn here?

>> Zach is here.

>> Mayor Adler: You donated time to Shannon?

No.

Is Jay Lynn here?

Okay.

Ms. Jones, I have you with one minute.

>> One minute.

>> Mayor Adler: One minute.

Is Camino Rojistan here?

Why don't you come on down to this podium here.

Is armory Zuvieta here?

Come on down.

You'll be next.

Ms. Jones, go ahead.

>> Thanks very much for the opportunity and my one minute.

I'll try and be very brief.

I'm here to speak on behalf of the manager's budget for Austin public health.

This is a rare opportunity for us to continue to make significant enhancements in the public health infrastructure of this community.

The ability to be able to accomplish this requires your support.

As you know, Austin has some of the healthiest communities but yet it has significant disparities.

We'd like to encourage you to support the manager's budget because it does several, three things.

One, it enhances the efforts to address health disparities in this community.

It enhances the ability to address disparities and inequities across all city departments.

And it begins to address the work that Stephy Hayden and her fine staff of employees are doing in this community.

So as you look forward to addressing the issues of capital, make sure you look at the human capital while you're also looking at the physical capital for this community.

Thank you very much.

[8:30:50 PM]

>> Mayor Adler: Thank you, and welcome back.

Camino Rojistan.

>> Hello.

My name is Camino Rojistan and I'm here to talk about [Speaking Spanish] Austin public health [Speaking Spanish]

[Buzzer sounding]

>> [Speaking Spanish]

>> Mayor Adler: Gracias.

Thank you.

[Applause]

>> Mayor Adler: Amore Zuvieta?

>> My name is

>> Mayor Adler: Hang on a second.

We're giving you a chair.

>> Hello.

My name is Amore Zuvieta.

My school is [indiscernible] fully fund the Austin public health budget proposed by the city manager for we found the COA equity office budget proposed by the City Manager.

[Laughter]

>> implement the people's plan in its entirety and others to address our community needs for low income housing, A.P.D. budget, there's no support this year, proposed A.P.D. position and a staff psychologist.

>> Mayor Adler: Thank you.

[Cheers and Applause]

>> Mayor Adler: And Carmen Zuvieta.

You have time donated by Zaribe Kuke.

>> Somebody translate this.

[Speaking Spanish]

[8:30:55 PM]

>> Hello, my name is Carmen Zuvieta.

I'm part of CCU and also part of I.C.E. out of Austin.

We have been fighting for this issue for a long time.

We don't want money to go to the police.

Even though we are from the Hispanic community that doesn't mean that we don't help our own community and we don't provide and fulfill the needs of our community.

So I would like not to have the money go strictly to the police.

>> [Speaking Spanish]

[Buzzer sounding]

>> Mayor Adler: Double the time because of the translation, but this will be the end of the statement.

>> Do you want it translated?

>> Mayor Adler: Yes, please translate.

This will be the end of the translation.

>> The police is not considered our friends.

We don't have a friendship relationship with them.

We are afraid of the police.

Every time we face them, every time we drive around, with our families in our cars, we don't want them inside our communities.

We do not trust the police.

I think that the money that you have, instead of giving it to have more police officers or to the police officer, you should put it into the community.

You should give it back to the community.

Have programs for the community, improve our community with that money.

We want some aid to have maybe after school programs.

[8:32:52 PM]

>> [Speaking in Spanish]

>> Good evening.

My name is Alicia Torres.

I am here representing I.C.E. out of Austin to protect the rights of immigrants and also representing grass roots leadership.

>> [Speaking Spanish]

>> As you all know, as before passed, and as of now, we are seeing the aggressive enforcement of this law that is affecting our communities.

>> [Speaking Spanish]

>> Allocating \$2 million for immigrant services in our community would send a strong message to our immigrant communities that we are with them and we are supporting them.

>> [Speaking Spanish]

>> It would send a message that the City of Austin is not going to allow any more family separations for the lack of legal representation.

>> [Speaking Spanish]

[Buzzer sounding]

>> Lastly, I want to remind you of the fear, the fear that is very real that our immigrant community lives in constantly.

>> Mayor Adler: Thank you very much.

Next speaker is Jesus Ortega.

And then Sue Gabriel will be at this podium.

>> I'm here to support communities of color united proposal and I want to talk specifically about number 3, which is to allocate two million to the immigrant legal services instead of the proposed 3,000.

[Captioning temporarily suspended.]

[Buzzer sounding]

>> Mayor Adler: That's what a minute feels like.

>> It's way too costly.

You guys are proposing 300,000.

You can only serve 30 people with that.

[8:34:50 PM]

>> Mayor Adler: Next speaker is Sue Gabriel, then Marissa Perales.

>> I'm Sue Gabriel with communities of color united and Texas advocates for justice.

We do not support the proposed increase in A.P.D.'s budget other than two surveilling positions for administrative support and staff psychologist.

We ask that you freeze the A.P.D. budget.

Each year A.P.D. receives the highest percentage of the general fund.

Please realize that police do not make all communities safer.

Every new police officer on the streets increases the likelihood of police violence.

I have addressed police brutality while in jail.

Putting more money into police budgets steals from resources that actually improve our safety.

>> Mayor Adler: Thank you.

You have time donated by Katie Collins.

[8:36:55 PM]

Is she here?

Priscilla Hale here?

You have three minutes.

[Captioning temporarily suspended.]

>> Our equity office is a small one with limited resources but they've managed to do so much already.

Perhaps some of the more challenging tasks is their effort to facilitate honest, thoughtful conversations between staff and community members.

They've provided the tools, the historical context and appropriate shared language to ensure that these conversations were thoughtful and that everyone was heard.

And they did this with real sense activity and compassion.

They also presented to the environmental commission an honest summary of the environmental history of Austin, something that we've never had presented to us in the years that I've been on that commission and the board.

They've transformed the way many of us analyze proposed city policies, budget requests, and decision making.

They educate, help, and encourage us to really employ an equity lens, and in fact just last week I met with watershed protection staff after they reached out to me to discuss their efforts to implement the city the equity tool within their own department.

And it was a really refreshing conversation, one that I'd never had with staff before.

And the topic is a difficult one.

[8:38:50 PM]

It provides tools, language, and perspective.

It's easier and it's really exciting.

It's the equity office has made it exciting to engage in discussions about institutional racism and how to work together to dismantle it.

We need to ensure they have the resources they need.

Let's consider the equity office an investment, an investment in working towards dismantling constitutional racism and make sure our budget reflects how much of a priority equity is for this city and invest in is accordingly.

I propose it should be our highest priority and the budget should reflect that.

Thank you.

>> Mayor Adler: Thank you.

Jasmine Patel?

Is Jasmine Patel here?

>> I have a question, if you could please send me the date of the environmental commission when you have that presentation, I'd like to review it.

>> Sure.

>> Thank you.

[8:40:52 PM]

>> Mayor Adler: Okay.

After that, Hilda Gutierrez.

You'll be at this podium.

Go ahead.

You have one minute.

>> Good evening, Mayor Adler and councilmembers, my name is Jasmine Patel, I reside in District 9.

Mayor Pro Tem, I'm your constituent.

I want to address a proposed public health budget.

First I'd like to vocalize our support for the amount laid out for public health by City Manager Cronk.

I would encourage City Council to build upon what has already been laid out by the city manager to further invest in the public health infrastructure and programs of the City of Austin and to bring us up to par with sister cities.

In prep for my testimony, I went and looked at the Austin public health website.

By browsing one page, the recent news page, I was instantly reminded of the breadth of work Austin public health does and how it affects every one of us.

Some of the things Austin public health has undertaken or partnered on through reports or direct work include deaths by suicide and suicide attempts, possible human exposure to rabies, combating AIDS transmission, confirming cases of west Nile virus, unintentional drowning.

[Buzzer sounding]

[8:43:05 PM]

I have two minutes donated.

>> Mayor Adler: I don't have two people donating time.

>> [indiscernible] and Lillian Bautista, donated to me.

>> Mayor Adler: Okay.

>> Sorry about that.

>> Mayor Adler: Go ahead.

>> So yeah, drowning, tips to do with extreme heat, services needed to help combat poverty, drug overdoses, opioid use and more.

These are things that affect every one of us, if not directly, indirectly.

Some of us are more susceptible based on income, race, gender, age, and as you guys know, this is the idea of health disparities and racial disparities are wild.

The Austin public health critical health indicators report for 2017 states that black individuals have the highest rates of cancer, heart disease, and stroke.

[8:46:02 PM]

Diabetes mortality rates among Hispanic population and black population is double the rate of white individuals.

The infant mortality in babies is twice the rate of white mortality rate.

These are disparities due to inequities perspective by local, state, and national policy.

It's much less the idea of individual behavior or responsibility and much more so the policies that shape and construct the social discriminants of health.

Research shows that the more robust health infrastructure and programs are the more robust they are, the healthier the general population and the greater the reduction in health disparities.

Additional investment into local public health often disproportionately impacts communities of color favorably. A little investment can go further for communities of color and we'd hope that you invest a lot into our health.

Funding Austin public health at an increased level increases the chance of reducing health inequities that Austin has historically and is currently experiencing.

Again, thank you to City Manager Cronk for the proposed amount. Let's bring us up to par with our sister cities.

[8:48:53 PM]

Thank You.,

>> Mayor Adler: You have time donated from Claudia Munoz.

>> I believe there was a second person as well.

>> Mayor Adler: Is claudio Munoz there? I have one person donating. Tell the clerk your name. Go ahead. You have three minutes.

>> Okay. I have a video as well so I'm going to try to do this very fast. My name is Hilda, also here with ccu and wanted to ask you to implement the resolutions found in the people's plan. We stand behind

the plan and believe it's a holistic approach, ask that the council direct the city manager to develop a budget to make these resolutions actionable. The plan was collectively developed by residents who have seen and experienced gentrifications and several commissions have actually already approved the plan so it seems like the natural next step for you to move it forward into the budget phase. Mayor Adler, actually recently I was at a meeting when you talked about the role of nonprofits and nonprofit leaders. I'm a nonprofit leader. I've been with -- in the nonprofit field for over a decade. One of the things you said that stood out was government was there to fill in whenever nonprofits couldn't do the work. To be honest we just can't. The developers are really strong in this city. I've been in front of you, in front of a zoning case before with other residents of my neighborhood. And I felt completely helpless and so did that. We need you to hold developers accountable and ensure the assets of our great city are used in a way that is equitable so the people regardless of race, class, immigration status can find a home in the city core and that they're not just relegated into the periphery and that's exactly what we think the people's plan does. I'm a resident of district 1. In east Austin. I've only lived in my current home five years. During that time period more than 50% of the homes on my block have been completely transformed.

[8:51:05 PM]

They've been replaced by homes that look very different than what was there before, but also the residents that inhabit those homes look very different than the residents that were there before. And just this year the full branch apartments just down the street from us that used to offer affordable housing have been sold to a developer and we were told they're going to start to increase the rent. So I'm a little concerned about what that means for all the kids I see on my block taking the to us school because I don't think they're -- bus to school because I don't think they'll have a home in the next year or so. Councilmember Houston, thank you so much for your service, and I want to assure you that I'm not going to vote for anybody to replace you that doesn't have this as a top priority. Thank you.

>> Mayor Adler: I'm sorry, Paul arohaus.

>> Part of her time was this video.

>> Mayor Adler: The video, that's right. Sorry.

>> Volume.

>> Got it.

>> Thank you.

[Video]

[Speaki Ng non-english language]

[8:53:27 PM]

[Buzzer sounding]

>> Mayor Adler: Thank you. Gracias.

>> She's not comfortable fully identifying herself because of immigration, but she's a member of ccu.

>> Mayor Adler: Thank you. Okay. Paul Arohaus, you have three minutes.

>> I have what?

>> Mayor Adler: Three minutes.

>> Good evening, I'm Paula Arohaus, I'm a mother, he got a new haircut, I'm also a midwife living in district 3. You've heard from us many times before and tonight you've heard from many of us, from our kids to a local public servant with decades of experience, Shannon Jones. So you've seen the whole spectrum of generations, and we hope that you are truly listening. We are right now in a very particular historical moment. Nationally and in the state, as you know. So what happens here locally is particularly important. As our city council, you have the opportunity to make Austin an example of equitable growth. But it's going to take focused and concerted action of redistributing public resources. A few decades ago we did not have the disproportionate budget we have today. I don't know if you're aware of what the budget of Austin was 30 years ago. But over the last 30 years, at both the national and local levels, governments have dramatically increased their spending on criminalization, policing, and mass incarceration while drastically cutting investments in basic infrastructure and slowing investment in social safety net programs. Austin has followed this very same pattern.

[8:55:29 PM]

The choice to resource punitive systems rather than to support stabilizing and nourishing ones does not make communities safer. Instead, study after study after study shows that a living wage, access to holistic health services and treatment, and stable housing are far more successful in reducing crime than policing. If we allow the market to dictate what happens in housing in this city, we will very quickly become a city for elites only. This year's budget proposal from city manager Cronk is a definite pivot in the right direction. We truly appreciate the allocations towards Austin public health and the equity office. But as you've heard, we have serious concerns about the continually inflated A.P.D. budget and the underresourcing for immigrant legal services. So now, council, the decisions are in your hands. You have heard from some of us tonight. Many others signed up to speak, but we will pass because we know there's a lot of other people that need to speak too. And many more have signed our ccu petition that we will deliver to you next week. So you have clearly heard what we're asking for. In the next few weeks, as you make your final deliberations, remember we will be watching. We will watch you individually and as a group. We expect.

[Buzzer sounding] It's my last sentence.

>> Mayor Adler: Finish up.

>> We expect nothing less than a more equitable budget towards a more just city.

>> Mayor Adler: Thank you very much.

>> Mayor adler:chad Moore, three minutes.

[8:57:35 PM]

Is Jen Olson here? Why don't you come on down. Is Heidi Anderson here? She had to live? Okay. What about George coffer? Wasn't able to make it? What about Sally Balch. Why don't you come on down too. Jennifer potter mill center Jennifer potter Miller here? You have three minutes.

>> Good evening, mayor, council, as I'm sitting here listening to the last group present, I have to be quite honest, all I could think about is how deep white supremacy has really crept into our entire city, whether it be through policy and procedures historically, but I also see it in the way we organize with one another, I see it in how we communicate with one another. And that's part of why I wore my shirt today, and I'm not going to get a lot of hand claps and likes and stuff like that, what I'm about to say, but for those of you can't see my shirt it says "Respect, protect, and love the black woman." With that I want to say I appreciate Ms. Houston for all the service you have done. I know you're peacing out in November but I appreciate you. Even with that I want to say on record I stand in complete solidarity with Kelly Coleman because I know how black people are treated within the city, whether it's within city hall or as individuals and I really hope we can do better moving forward as a community because it's really disheartening. Onto the budget, Kathy and a lot of people are going to come up and follow me I want to touch on quick points. With the budget this year we hope y'all can fund if not fully at least to get a pilot program started to mimic what they're doing in Dallas. I know Kathy came and talked you to all earlier this week. In Dallas they are pulling police out of being the only frontline responders and pairing police with social and mental health workers and it's going really good.

[8:59:45 PM]

I don't need to explain why we need that here in Austin. For the first time on record I think I can say me and the police agree on that. Also, it is an awesome group out here led by black women predominantly called 10,000 fearless and they are also alternative to people that want to call 911, they actually go -- if somebody doesn't feel comfortable calling 911 they call 10,000 fearless and they go with their own resources. They do this in New York, Erica Ford started this thing called life incorporated. What she does is take people that have been formally incarcerated and put them in a similar program. New York has like a billion people and they fund it fully with two or \$3 million. We think since we're only like a eighth of that we can do it with 250, 300,000 for people that are not yet comfortable calling the police for everything. Then I want to leave y'all with a quote, and I want to leave y'all with this because you all like many of us in the room, including myself, live a thankless job and it's really been sitting with me a lot. It's not the critical count, not the man who points out how the strong man stumbles or where the deeds

could have been done better but I want to leave with you that. It's a lot of people that come in here that only come on days like this, days of dig contention but I want to encourage you all to keep making the Progressive decisions, keep funding things that will challenge us to be a better city and not if not all of us you got my support. Just think about how we can continue to make Austin better and put money behind it.

>> Mayor Adler: Thank you. Jen Olson. You have a minute and then Heidi

>> I want to thank you for making this an incredible city for all of us to live in especially when it comes to allocating a budget. My name is Jen Olson, a board member on the Austin parks foundation. Parks matter to every single person in this community. I'm also the author of a book called every town needs a trail, and it celebrates our open space but is also celebrates the leaders of the city who 50 or 60 years ago led by lady bird Johnson and individuals were sitting in the exact place you were today, made a decision, when this city was in rapid growth, changing, said we're going to allocate our budget and resources to preserve our parks and our open space and we are all the benefit of that today.

[9:02:11 PM]

Members like myself, we raise private colors, everyone on our staff and community raise private funds for our parks through the Austin parks foundation. We're asking the city to do their part. We thank you for fighting their parks and for making the city not only great the world class city it is through our open space. Thank you.

>> Mayor Adler: Thank you. Sally? Is Jennifer here? Step up to that podium. Is Daniella Munoz here? You'll be up next. Kelly west? You'll be up there. Go ahead, please.

>> Good evening, along with neighborhoods in districts 2, 3, 5, we've worked with the Austin parks department and Austin parks foundation to improve existing neighborhood parks and develop protected city lands for public use. Thank you, city manager cronk, for including money in deferred maintenance in your proposed budget for general park maintenance and staff. We ask that the council supports this funding to make our parks welcoming and safe for neighbors. Our mission is to improve community health through physical activity across south and southeast Austin. Our neighbors shared they needed to feel safe when visiting our parks. We specifically asked for 250,000 in one-time funding to improve lighting in our south parks. Thank you so much.

>> Mayor Adler: Thank you very much. Jennifer potter Miller and then on deck is Daniella Nunez.

>> My name is Jennifer, thank you city manager cronk for addressing the need for additional funding. I don't want to repeat what was just said so I will move to my emphasis is the relationship that I see between the strength of the relationship between how well our parks are maintained and how much our neighbors trust city government.

[9:04:23 PM]

This summer a tree fell over on the storm that took place the night before the opening of the swim season, and fell on the pump for Patterson pool and broke it, and the next morning delayed opening was announced. I can't tell you how many neighbors I heard say that they just assumed it wasn't going to open at all this summer because they didn't have confidence that the city would repair it. When the pool opened just two days later, there was widespread joy. And the pool went on to be enjoyed by community --

[buzzer sounding]

>> Mayor Adler: You can finish.

>> All summer. I'm grateful for the recent improvements in our personal park and I hope that additional funding can be allocated to improve all of the outdated parks in our city. Thank you so much.

>> Mayor Adler: Thank you. After Ms. Nunez, Kelly west will be up at podium. Is Jonathan bill here? What about Caroline Alexander? What about ray Collins? Mr. Collins, why don't you come over to a podium. You'll be up next. Amy [indiscernible]. No longer here. What about Corina Malone? What about Johnny Overton? What about Charmain Boston? What about Larry walker? Larry walker? What about Seneca Savoy? What about Amanda Lewis? You'll be up next. Go ahead, please.

>> Hi, my name is Daniella Nunez, live in district 4, president of the Georgia neighborhood association and also on the public safety commission. Thank you to the city manager for providing the parks funding for maintenance and Ada compliance and other funding. So parks are a priority for me.

[9:06:23 PM]

I support Austin parks foundation's ask for better parks funding. My neighborhood is home to working families, lots of different languages spoken, different backgrounds and ethnicities. We have the highest number of children in some of the most multi-family housing units anywhere in the city, yet the least amount of park space. I believe every family, child, and individual deserves access to a safe, well-maintained park for recreation and well-being, and our neighborhood is trying to play catch-up with the rest of the city to try to increase resources to our limited green S to ensure that our parks are accessible, safe and have amenities for everyone to enjoy and I support adding additional funding for that.

[Buzzer sounding] I also support programs to prevent relationship violence, which the public safety commission unanimously supported. Thank you.

>> Mayor Adler: Thank you very much.

>> Casar: Mayor.

>> Mayor Adler: Yes, Mr. Casar.

>> Casar: I appreciate you coming with -- and speaking about parks in district 4, but I felt like you were getting cut off in your last statement with just one minute so thanks for your role on the parks

foundation. Also you're on the public safety commission. Could you just give us two sentences about what you recommended since I know you're just getting cut short on time?

>> Sure, yes. So I support having more violence prevention programs. As we've seen the mayor speak about increasing violent crime in our city is linked to relationship and family violence, so we need -- instead of more police we need something -- a proven approach to actually address prevention and crisis intervention programs that keep people who are in these situations safe and also build stability for their lives. So I also wanted to plug that because the public safety commission did support that for earlier intervention and crisis prevention is also very important.

>> Mayor Adler: Thank you very much.

>> Thank you.

>> Mayor Adler: Ms. West and then ray Collins.

[9:08:25 PM]

Ms. West.

>> Hello, my name is Kelly. I am a park adopter for onion creek and southeast Austin and volunteer with Austin parks foundation. One of the main reasons I moved to Austin was all the great parks and green spaces present here, but one of the reasons I stayed is the communities that are present in those parks and community centers. So the money that would go towards maintenance for the parks, aquatics department and also recreational planning goes back towards the communities and the people living in the city, and that just helps improve the quality of life in general, which is I think why we're all living in Austin. And then in addition to that I would also support an increase in the budget for immigration services because I think in times like these a motion like that from y'all would really show what kind of city that we want Austin to be in the future. And that's all I have.

>> Mayor Adler: Thank you very much. After Mr. Collins, I think the next person we called was Amanda Lewis, and then after Amanda Lewis is Anna Rodriguez defrietes. You'll be up next in Mr. Collins spot, and then I don't know if we already called Camino Rojas teng? Yes, we did? Samuel Woodbury? What about Rebecca Sanchez? What about Laura Slocum? Okay, you'll be up next. You have time donated from Marissa Aguilar. Is Marissa here? Very good. You'll have two minutes. Mr. Collins, you have a minute.

>> First, thanks to mayor pro tem tovo and her policy aide Ashley Richardson.

[9:10:32 PM]

You have my handout. A little over two years ago a guy in a wheelchair for a while called my attention to dumpsters blocking sidewalks on south port drive a couple miles north of our home. Last April when

council concerned itself with sidewalk obstructions, seized the opportunity to present the matter and mayor pro tem tovo -- assigned a policy aide to assist me. A director responded and I was angered by Mr. Angora's response and finding myself unable to make a civil response chose instead to hand a series-questions to the city of Austin deputy cfo Ed van eenoo at the district 5 budget open house. For now I call your attention to my fifth question in my handout, a budget policy question. In setting priorities, excuse me, about -- a budget policy question about priorities. In setting those priorities my hope is that council will act on behalf of austinites with disabilities who require an unobstructed sidewalk, not to mention parents who might wish to push their strollers on a sidewalk rather than the street.

[Buzzer sounding] Can I do one more sentence?

>> Mayor Adler: One more sentence.

>> Both Mrs. Richardson and myself wait in answer to her queerly last may as to how Austin resource recovery and public works plan to resolve the sidewalk obstruction problem. I'll email my presentation.

>> Mayor Adler: Please. Thank you. It's also been handed out, one version handed out on the dais.

>> [Off mic]

>> Mayor Adler: Ms. Lewis, you're up next.

>> Thank you. My name is Amanda Lewis and I'm speaking as an individual, district 4 appointee to the city's commission for women and as a social worker. I want to clarify and highlight a few recommendations the commission put forward related to sexual assault and partner violence. Of course I want to thank councilmember alter, councilmember Casar, and councilmember kitchen for your attention on this issue.

[9:12:42 PM]

So first with community input we have five full-time counselors. The proposal adds one which is not nothing but falls short of what's needed. We cannot rely on law enforcement alone to address violence. We know that 70% of the increase in violent crime in Austin is related to intimate partner violence and survivors report to law enforcement.

[Indiscernible] Really kind of impacts or compounds trauma and we need to ensure A.P.D. Has the right staff.

[Buzzer sounding] Secondly, can I add just the one on prevention and additional funding for early intervention, community-based programs. And echo just communities of color united and ajc and this idea that racial equity and economic justice is anti-violence work.

>> Mayor Adler: Thank you very much.

>> Casar: Mayor, I have a question for you.

>> Mayor Adler: Yes.

>> Casar: Did we take 20 speakers at three minutes? It's only been an hour.

>> Mayor Adler: We did not. We just went to one minute.

>> Casar: Okay.

>> Mayor Adler: We took a group of people for translation services and the people who -- the only people who would have gotten three minutes would have been those who signed up for translation services.

>> Casar: Understood.

>> Mayor Adler: So we have now Anna.

>> Anna?

>> Mayor Adler: No no. Go ahead.

>> Do you want Anna defrietes?

>> Mayor Adler: I want Anna Rodriguez defrietes.

>> Well I want you so this works out.

[Laughter] Thanks, y'all, my name is Anna defrietes, I'm here in my capacity as a individual member of the Austin commission for women. Many of you asked a lot of questions about our recent recommendations. I want to underscore what those are. We asked for five additional victim services counselors within A.P.D.

[9:14:45 PM]

Thank you, city manager cronk, for adding one, and for holding those public hearings. We participated in those. Where he sent emails your way, and we feel heard, 20% heard. So -- I'm kidding.

[Laughter] I also -- there's two recommendations we made. The second one was related to having early intervention in emergency relationship violence prevention programs. The same recommendation that the public safety commission made. It was brought to us as well and we want to echo that. It goes hand and grove with the victim services piece and it's consistent with the notion we can't police our way out of relationship violence.

[Buzzer sounding] And I'm available for questions afterwards if you have them. Thank you for your attention.

>> Mayor Adler: Thank you very much. So then we have Laura Slocum and after that is Ty Perkins here? Why don't you come on down. And then Steve Johnson. Is Steve Johnson here? Why don't you come on down too. And then is Naomi Saka here? Why don't you come on down?

>> Mayor, before she speaks, just one second, I wanted to clarify that there was one victim services counselor that was made permanent in addition to the one new one. So it's a little bit more than 20% by it's not two new ones.

>> Mayor Adler: Please proceed. You have two minutes.

>> Thank you. Thank you for the opportunity to comment on the fiscal year '19 budget. I'm the administrator for crisis services and justice services at integral care. We want to thank you for your continued consideration to consider funding the expanded mobile crisis outreach team in your fiscal year '19 budget. We were very pleased when the Travis county commissioners court voted last week to approve ongoing funding for the expanded mobile rice outreach teach in their fiscal year '19 budget, 40% of the total cost for the program.

[9:16:56 PM]

It is our hope city of Austin will partner with Travis county to make the program whole. Integral care's expanded outreach team corresponds with Austin police department and austin/travis county ems when an individual is experiencing a mental health crisis. Our licensed clinicians take over the case, which reduces the amount of time a police officer or paramedic has to stay on scene. Through that co-response we're able to reduce the amount of ambulance transports to emergency departments, emergency department admissions, emergency detentions, arrests, and jail stays. In fiscal year '17 the expanded mobile crisis outreach team responded to 3,244 dispatches of which 98% of law enforcement were diverted and 71% were diverted from being admitted to an emergency department. We're proud of the partnerships we have built with first responders in the city of Austin, and we appreciate your continued consideration to fund this program in your fiscal year '19 budget. I'm happy to answer any questions if you have them.

>> Mayor Adler: Great. Thank you very much.

>> Thank you.

>> Mayor Adler: Ty Perkins, then Steve Johnson, why don't you stand up.

>> My name is Ty Perkins, executive director for tree folks, Austin's urban forest nonprofit. I'm here in support of including the 125 million in deferred parks maintenance funding, and specifically I wanted to speak in support of the inclusion of the amount for urban forestry, the parks maintenance team to differentiate that from the development services section. Their inclusion of crew and an inspector and equipment for those positions goes a long way to maintain parks' trees and the fact they can only maintain really about 25% of what they need to for industry standards has a lot to do why we can't plant new trees in parks. So I think that it represents a necessary, effective and relatively conservative ask of the budget.

[9:19:02 PM]

Thank you.

>> Mayor Adler: Thank you very much. And then we have Mr. Johnson, and after Mr. Johnson we have Naomi Saka and then Fred Mcgee will be coming down to this podium. Mr. Johnson.

>> Thank you. Steve Johnson with a local group called love Austin pools. We support both the increased parks budget and particularly the increased aquatics budget. As you know, aquatics has run a deficit the last several years. I'm sure a lot because of the extraordinary efforts of the maintenance crew to maintain Austin's aging and failing public pool system. We believe -- we know that the maintenance costs will remain high until all of Austin's pools are replaced by newer pools so we encourage you to please keep aquatics in mind in years going forward so they don't have to run a budget deficit just to basically tread water. Thank you.

>> Mayor Adler: Okay. Thank you. Susana Almanza will be coming up next on deck. Go ahead, please.

>> Hello. I'm Naomi Saka homeowner in district 5, in south Austin, 78745. Thank you for listening to the concerns of Austin residents today at this late hour. I believe parks contribute to the appeal and livability of any city. In Austin in the very nature future they may soon represent the only green space. Access to this green space is crucial to residents' health and quality of life so your stewardship of these parks through getting adequate additional park funding for park personnel, amenities and infrastructure maintenance directly impacts or physical well-being. In our park residents have been lucky to work with Ann kitchen's office, and the Austin park foundation, bama, this month's lights were installed in our park's basketball park.

[9:21:02 PM]

I'm especially glad to have this opportunity to thank Ann kitchen, I wrote this when she was here, for her help in making the final push to help us achieve this. My neighbor recently --

[buzzer sounding]

>> Mayor Adler: You can finish your thought.

>> Recently found the petition created by grass roots neighborhood activists from 1986 for this very lighting, much of what we have recently received which we are grateful for is the fulfillment of many years of backlogged and it is for that reason I wanted to emphasize the continued need to support extra monies to pay for lighting and other park improvements. Thank you very much.

>> Mayor Adler: Thank you. Dr. Mcgee you have time donated from Janice Sims so you have two minutes. Dr. Mcgee.

>> There we go. Good evening, mayor, council. Tonight I'm here in my capacity as one of the coauthors of the people's plan and I and my colleagues are here to ask you to fund it, and we are here to place before you, for your consideration, a people's anti-displacement budget. The people who follow me will speak about it in greater detail. I'm here to speak about the process by which we came to our budget

and the people's plan. We announced it in Jan. It's a plan as you know has been approved by the quality of life commissions and numerous other boards and commissions in our city. The people's anti-displacement budget is informed by the slide that you see up here . 2018 isn't just an election year for the city of Austin, also the 50th anniversary of the assassination of Martin Luther King and the poor people's campaign. Less well known it's also the 53rd anniversary of a freedom budget for all Americans, released by the Randolph Institute in 1955 after passage of the Civil Rights Act. You can see things on there that are unfinished business. Abolition of poverty, guaranteed employment, foreign income parity, et cetera, housing, by right.

[9:23:07 PM]

These are positions Dr. King of course embraced. The people's budget, hyphen, implementing the people's plan, has things in it that you can fund in 2019 immediately. It was designed just like the people's plan to be TSA, targeted, simple, and actionable. This is a question of political will, not a question of finding the money. And I and my colleagues are here to ask you to demonstrate the political leadership to fund this broadly supported and democratically created bottom-up anti-displacement proposal. I'm happy to answer any questions you might have.

>> Mayor Adler: Thank you very much.

>> Thank you.

>> Mayor Adler: Susana Almanza, you have time donated from Peggy Vasquez. You have two minutes. Fred Lewis is on deck. Is Andrea Black here? Andrea Black? Yes? No? No. What about Doris Adams? Is Ms. Adams here?

>> She's right there.

>> Mayor Adler: Right there, okay. So far, Ms. Lewis, you have one minute. We're waiting for Andrea Black to walk in. Susana Almanza, two minutes.

>> Good afternoon, mayor, councilmembers, I'm Susana Almanza one of the coauthors of the people's plan. The plan is general fund neutral and can be funded with existing funding and proposed funding sources. All of the people's anti-displacement initiatives have been recommended for further consideration in a resolution approved previously by council and have been recommended in many past recommendations over the last 20 years. We request that the city of Austin declare, quote, an affordable housing and displacement state of emergency soe. A local state of emergency refers to a crisis or disaster in which the city of Austin suspends normal procedures to take urgent action.

[9:25:17 PM]

In the current housing context this means using funds more flexibly, reducing regulatory barriers, and devoting additional funds to a problem. The city of Austin affordable housing and displacement soe can

have the effects of generating a sense of urgency and creating public and political will to move quickly within the city of Austin. Several jurisdictions have declared affordable housing does, including San Jose, California, Eugene, Oregon, and Oakland California. We're looking at selling the building which is 30 million that would provide low-income housing, including manufactured homes at 28 million, 1 million for 20ncdd plans and 1 million for 20 historical preservation plans and then we are asking for designated 10% of the 2018 \$250 million bond, 25 million to be added to the strike fund at apartments for low-income families. Also support increased resources and services for low-income residents in gentrifying areas, 1.5 million, and office dedicated to prevent displacement and consistent of five full-time staff. Thank you so much.

>> Mayor Adler: Thank you. Fred Lewis, you're here. Andrea black came in so you have three minutes.

>> I have three minutes.

>> Mayor Adler: After you sandy Jones. Sandy Jones here? Why don't you come on down. And then Paul cadoro. Is Paul here? You have time donated from Lindsey Haines. Is Lindsey Haines here? Shannon Greene here? Okay. You'll have three minutes. Mr. Cadoro. Is tain ward here? You'll be up next. You have time donated from Travis Duncan here. Is Travis Duncan here? So you'll have two minutes then.

[9:27:19 PM]

Mr. Lewis, three minutes.

>> Good evening. Happy almost labor day weekend. The number 1 equity and social justice issue I believe in Austin today is gentrification and displacement. It is an issue having the greatest impact on low-income austinites and austinites of color. As they are being displaced from their long standing communities, especially in the eastern crescent displacement is ripping apart long standing communities and relationships. Let us be clear, the center for disease control has made it very clear that displacement is harmful to people's health. Both from being ripped from their communities, as well as being pushed off the communities that do not have the services that their communities have. We have talked a lot about displacement. The first city report was in 2001. As the city auditor has noted we've had 541 resolutions and recommendations, and it is safe to say we have done almost nothing for gentrification and displacement. The people's plan was produced in January of 2018. There was supposed to be a report back to you from the city manager's office about that plan. There has been no such report. I know they're busy, but it's all about priorities. The people's budget is revenue neutral and it makes a serious statement about anti-displacement programs. It calls for a state of emergency, which is what it is, especially since we've let the program fester. If there is any area that the city of Austin has neglected more than displacement, I do not know what it is. The bottom line is you have had four years to address the issue, and there's been no meaningful action on the ground.

[9:29:23 PM]

I guess I feel about the statement from the bible, "Faith without works is dead." Support the people's budget.

[Applause]

>> Mayor Adler: Sandy Jones.

>> Good evening. Mayor, councilmembers, I am minister sandy Jones from the [indiscernible] From the church, and we're here to ask for your votes to prioritize some items that we have been working on. We have presented them to you earlier. We thank you for what you did with the living wage. You kept it alive. We thank you for that. So we want to move to capital idea. We ask that you will increase their funding because we believe that they have earned it. They have an outstanding track record. On how they have served the citizens and this city. We have researched and put together an inside look of information for you to look at when you make your decision. And also we'd like for you to prioritize community policing. It is very well-needed in this day and time in all our communities. And we also ask that you would prioritize prime-time and parents' support programs, because these kids, they really need it. They have some structure at the school. And we also ask that you would prioritize homelessness and housing because these people that the system is just kicking them while they are down when they need a handout. And by you continuing to let the police ticket the homeless people, they have no way to pay it. I was homeless myself at one time. They have nowhere to go.

[9:31:23 PM]

The sellers normally only allow them a few day. Also the arch, they don't have time to clean up and sober up. It's not enough time so lets find another solution. The people behind these programs, we want to thank you for what you have already done, and you have a body of leaders of this city. We like that you would vote and support these items as a priority and show the city that you care. For the future of this city. Thank you.

>> Mayor Adler: Thank you. Is Rachel manning here? Why don't you come on down. You have time donated from James Casey. Is James Casey here? Okay. So, Ms. Manning, you'll have two minutes. Is Erica foster here? Erica foster, why don't you come on down too. Then Julia Ivan Alexander here? Come on down. Mr. Cadoro, you have three minutes.

>> Thank you, Mr. Mayor, we're here to raise concerns about fee increases, educate you about one fee in particular that has an impact on factor or just a ask it example of how fees can impact affordability and we'll ask for good government practices regarding fees. The proposed budget has -- is \$8.7 million higher than last year's budget in terms of ruins from fees and fines. And one fee being increased is the fire department fee called the fire protection service permit. And the fire department describes this as an annual permit to ensure that life safety systems like sprinkler systems have been properly inspected by third party individuals. Essentially it's the fee -- it's the fee that third-party companies pay when they upload the results of their tests to the city. A building with a sprinkler system requires two tests, one for the springer and one for the fire alarm.

[9:33:24 PM]

The fee is going from \$20 to \$30. Not a big deal for a building like this it's a \$60 fee every year. For a apartment community that's a per-building fee, for ten apartment community building they pay \$600. Once this fee is adopted we have one men that will have a fee going up to \$2,500 a year. Two years ago this fee didn't exist so going from essentially zero to \$2,500 in two years, not with standing we don't understand why it costs more to upload data to the city. It does illustrate the escalating and never ending regulatory costs of housing in Austin and how fees buried deep in the budget on page 564 of an 830 page budget can dramatically add up over time. While raising fees to match city costs is good government, we would like to see other good government practices accompany that. We'd like to see proposed fee increases spotlighted and highlighted early so that everyone knows what they are, we'd like to see not just the fee listed, but the previous year fee listed so you can see the change from one year to the other. Also we'd like to see in the budget rather than simply state that fees are needed to increase -- to keep pace with nebulous costs, we'd like to see a descriptor saying what is the fee, why is it going up and what are they going to use the money for to help the department that they're -- that's being charged. Finally we think it's a good idea to establish a two-year fee schedule so we can have budget normalcy sore business operators and property managers, set the fees, set them for two years, then we can fight it out two years from now instead of every year trying to figure out what the fee is and you get sticker shock when you go down to pay a fee. You know, the fact Texas did a study that said that the costs of constructing a 300 unit apartment in Austin is eight times higher than it is in Dallas for constructing the exact same property.

[9:35:26 PM]

Suffice to say that operating a apartment community in Austin is expensive as well and getting more so every year.

[Buzzer sounding] And, you know, the constant fee increases are a contributing factor to the affordability crisis. Thank you.

>> Mayor Adler: Thank you. That was a process question we had, manager, when we were doing our analysis of this process this year, which is different. Can you please pull back those suggestions with respect to fees? Yes, councilmember troxclair.

>> Troxclair: What was the name of that fee? Does it have a specific name or. . .

>> Thank you, councilmember, for asking. It's the fire protection system permit fee.

>> Mayor Adler: Okay. Yes, councilmember alter.

>> Alter: In your total amount of fees, was that just the total going up in the budget or was that specific to development services?

>> I'm sorry?

>> Alter: When you calculated your total amount, was that for the whole budget or just for development services.

>> That was from the budget document itself. So I --

>> Alter: Because the pool fees are going up a million plus. So I just wanted to point out that all of the fee number, is that full number maybe, so a good chunk that have may be pools.

>> That's the point. There's no break down so you don't know where it's coming from. Thank you.

>> Mayor Adler: Thank you. Tan ward has two minutes. Then Rachel manning is up with two minutes.

>> Thank you. It's tamae ward for the record. I'm a community organizer, I live in district 1. Thank you, mayor, council, and city manager for this opportunity to have a budget hearing and I want to thank each and every member of our community that's come out to share these ideas. It's a gift to each and every one of you that our community is putting so much work in to figuring out these problems and it's also a gift to democracy, which is one of the core values that this city has. There is hundreds and hundreds of hours and years of work that people in the city regular everyday people have been putting in to making the city a better place, to figuring out the problems of the city and how to resolve them.

[9:37:30 PM]

We have some problems which are all over this country, such as gentrification, displacement, police brutal, these things are everywhere and not going to get solved in back rooms, by think tanks from out of state. They'll get solved by people experiencing these problems. That's what justice looks like. Justice looks like people who are most impacted by problems solving those problems. You have that here in two really important ways. One of them you have it open to all of us. Accountability. I suggest each of you take the suggestions of all the community groups coming up equally as valued if not more so than the experts sitting on the other side of the dais. No disrespect to staff, just to say that there's literally decades upon even centuries of work, for example, when you look at the people who put together the people's plan. Which is -- resolves many housing disparity issues that we have, which have not been able to be resolved by these outside groups, but those answers absolutely exist within the community. And that's one of the ways that we are serving justice. Another way we're serving justice is when we look at the police contract, activists came together to hold the police contract accountable. It will not -- that accountability will be lost if we do not put the material resources behind the people who are calling for a freeze to the police budget. These are the types of material conditions we need to grant to the people who are putting the work in of democracy. That's what democracy looks like and justice looks like. Thank you all very much.

>> Mayor Adler: Thank you, Mr. Ward. Rachel manning has two minutes and then as we said Erica foster. Is Julia Alexander here? You'll be up. And then ashkan. What about Shane Johnson?

>> Here.

>> Mayor Adler: Then you'll be up. Go ahead, please.

>> Good evening. My name is Rachel Manning. I am a resident of district 1.

[9:39:30 PM]

Thank you all for being here late. We appreciate the opportunity to speak with y'all. I'm here tonight as a member of Undoing White Supremacy Austin, a group of white people from around this city dedicated to ending racism. We really appreciate the work that's gone into this budget. Fully funding the equity office is a commitment that we see to ending racism in the budget and ending institutionalized racism and institutionalized white supremacy in the budgeted and we can clearly see that work and how it's being implemented. So thank you for that. A budget is a document that reflects our values. Austin has historically centered police as the sole agents of public safety. But these policy decisions have not allowed all of our communities -- all of our city's communities to thrive equally. As we heard from CCU at the beginning of the evening, communities of color have often experienced police as a foot of oppression on their backs. That's language from the Undoing Racism training that some of you have gone through. We saw tonight all of our members are asking that like CCU has said that you freeze the A.P.D. Budget at current levels. Their budget has grown massively while other programs have not gotten that same amount of increase, those same increases in funding, and that you fund things that will create long-term sustainable safety in communities. Things like housing, health care, and racial equity. And like others have said this evening, implementing -- allowing communities to organize and giving the funding to do so will also create long-term public safety so fund gave as well. Thank you so much.

>> Mayor Adler: Thank you. Ms. Foster.

>> Hi. My name is Erica Foster. I live in district 3, and I also own a business in district 3.

[9:41:32 PM]

And so this is my first time speaking. I'm kind of nervous, but excited to present my opinion. I'm originally from Chicago. Chicago has a history of increased budget funding for cops and also matching violence in a lot of areas of the city. They increased funding for cops with the hopes of preventing violence while simultaneously reducing resources for those exact communities of color. I am now in Austin and I love it here and I'm hoping that Austin can reflect different values than Chicago has been doing for a long time. With that, I'm in support of all the budget requests given by CCU and also that of Basta, which I just learned about this evening. I'm hoping Austin can show we care more about the access to resources in our community and less about the punitive enforcement of A.P.D. Thanks.

[Buzzer sounding]

>> Mayor Adler: Thank you. Go ahead, please.

>> Hi, my name is Julia Von Alexander and I live in district 9. Thanks for the opportunity to speak on the budget tonight, as others have said we appreciate the willingness to include accountability in this

process. I'm a member of undoing white supremacy Austin, a group that works to create a more equitable and just Austin, which I think we can agree we all want. I lived in Austin most of my life and growing up here I didn't realize that it wasn't quite as Progressive as it billed itself to be. Maybe that's in part because my family just never went to the east side when I was growing up. But the thing is my predominantly white neighborhood was safe, and that wasn't because there were a lot of cops around there. It was because we had a lot of resources, like mental health providers and access to health care. Also, people weren't worried about losing their home or experiencing homelessness.

[9:43:33 PM]

And that's why I'm here tonight with undoing white supremacy Austin, to ask council to support a budget that allows all austinities to feel safe as did I and do now.

[Buzzer sounding] Thank you.

>> Mayor Adler: Thank you very much.

>> Hello -- may I go? Hello, mayor, council.

>> Mayor Adler: Yes, Mr. Johnson.

>> My name is

[indiscernible] I have a few different asks. I ask council to carry through with this resolution and staff resolution to support co-ops in Austin. Last year staff recommended council allocate \$75,000 for worker education. Worker co-ops are an important way to support economic opportunity and address income inequality in Austin. Secondly there was another internal memo from staff that estimated the cost of providing limited child care at all public meetings in the next fiscal year to be between 80 and \$120,000. Councilmember Garza brought this to the public's attention. It's ironic she can't be here to take care of her own child. Yeah. Also I'm asking council to fund initial planning for a health clinic in the rundberg area as an extension of the Gus Garcia recreation center. The auditor's office identified a significant gap in services for health centers for north Austin, Austin public health found that areas north of 183, southwest of 71 and 35 are the most important.

[Buzzer sounding] Southeast Austin has a project in the bond for a health center but north Austin needs council to start action.

>> Mayor Adler: Thank you.

>> Thank you so much. And sidewalks.

>> Mayor Adler: Thank you. And sidewalks.

>> Mayor Adler: Thank you. Is David Glenn here? You have time donated from Lynn Kury. Is Joyce Camillo here? You have three minutes. Mr. Glenn. Is Scott turner here? You have time donated from Melissa brown and from David mostery.

[9:45:36 PM]

Is David here? No? You have two minutes. Why don't you come on down here, Mr. Turner. Is Felicia foster here? Why don't you come on down. You have time donated by don rousinger. Is he here? Okay. What about Julie rousinger? You'll have three minutes, Ms. Foster. Let's begin with Mr. Johnson.

>> Thank you. Shane Johnson, I live in district 7 and I'm here today with Austin justice coalition and I'm also board member for indivisible Austin. I couldn't agree more with Tanya and Julia and Rachel but I'm actually here to speak on a different area, slightly more specific, asking the city of Austin -- or to emphasize the city of Austin needs to review all of the forensic disciplines within A.P.D., not just a DNA lab, for Independence and for scientific integrity of their practices. In the last few years, advancements in sciences have clearly shown a number of practices that might be employed by A.P.D. Forensics currently are junk science add these include blood spot splatter analysis, bite mark and other techniques such as that, and these are indicated by various national and state science entities have caused various wrongful convictions, for example, bogus science money was used to convict in San Antonio for child rape, and several other --

[buzzer sounding]

-- Neil Robbins, Steve Cheney, served 28 years in prison. Just last sentence, and Kathie can a --Mitchell will be speaking on this in a little bit, to determine if we should move to an independent crime lab.

>> Mayor Adler: Thank you. Mr. Glenn, and is Scott turner here?

[9:47:36 PM]

Come on down to this podium. Go ahead, sir.

>> Good evening. I'm director of policy at the home builders association. The fees are substantial, some of which are going up 400% year after year. Some are covering new staff which dsd needs to keep up with demand. We support the request for additional staff and it's important to note the request of staff have little impact on the fee increase. Development fees are designed to reflect the cost of service. The new cost of service for a site plan in Austin is \$16,000. That same service costs only \$4,000 in Dallas. Now, I'm not advocating that we need to be Dallas but the disparity is worth noting. It tells us the problem lies with the myriad of regulations. We've distributed a handout that goes into detail about the recommendations I'm about to share with you. I'll start with the city's criteria manuals which have been constantly added to without review or reduction of the manuals. The city should review the manuals and remove any unnecessary or overburdensome regulations. The city should create a fee impact statement which will examine the impact of business owners when new regulations are adopted, include fee increases, staff time for processing and cost of compliance. In order to help reduce the impact fee of the impact of the new fees on October 1st, the fees should be phased in over a long period of time, using dsd's new fund balance. Dsd will be receiving \$59.1 million fund and to allocate three

million of that to offset new fees. We visited with them and they said it's something they could do if given council direction. The city should establish a policy that would require the department to provide a detailed breakdown and justification for any fee increased over 10%. And I have few examples about how this could work but for the sake of time I won't go into them. The city department should establish a process to allow fees to be paid incrementally as services are being rendered and the builder to pie as they go through the process, just to have the process rendered unviable later in the process.

[9:49:37 PM]

We've worked closely with dsd the past year to identify 64 deficiencies the department can implement dismissal. Administratively, to reduce the cycle for approval, we appreciate Randi's proactive approach to approve the process but he can only do so much given the regulations the department must comply with it's unfortunate the cost of services, development services in Austin is so high, so we hope that the council will consider -- will consider these practical solutions and ease the cost of Burt on the home buyer as we continue to work toward making Austin more affordable. We have more details on these recommendations and appreciate the opportunity to talk to you further. Thank you for your time and your service.

>> Mayor Adler: Thank you. Mr. Turner, you're going to have two minutes. Is Jeffrey tawala here? And then you have donated time from Rodrigo torres and from Kee gray. You'll have three minutes after Felicia foster speaks. Go ahead, sir.

>> Good evening, mayor and councilmembers, I'm an urban Intel home builder and while my testimony might not be as important as some of the other testimony here tonight, I do want to talk about the dsd budget and operations because they affect everyone in Austin. As you know, we have a shortage of housing and dsd must approve every unit. They aren't the only ones who have to approve new housing, however. Austin energy takes one year to move a pole for residential home, months to set a meter, and right now, as of today, all of my jobs are being held up waiting for Austin energy. At Austin water it's well documented that adding a tap for a single new unit costs \$25,000 and it takes months to approve the tap plan and set the liter. There's little accountability for affordability or efficiency in their operations, and their costs and delays continue to rise and these are barriers to the creation of the housing that we desperately need. We just can't let this happen at dsd with the switch to enterprise funds. The fees are around 15,000 per application, that's about a 400% increase in two years.

[9:51:41 PM]

That's supposed to reflect the Duval cost of the 3956 pages of code and criteria manuals, and for the record I saved a tree in my back by not bringing that printout in today. The cost also includes efficiency in administering that code, something that traditionally dsd has not been the best at. But stakeholders like are working with dsd ever since the switch to enterprise was announced on ways to improve efficiency and reduce the cost and approval times, and stakeholders support the initiatives that were

developed from these efforts by dsd, and we also support their staffing request as well because both are necessary for fees to go down along with processing times. These administrative efforts can only go so far. We need your help to adopt practical policies and procedures to establish accountability for affordability and fish in the process. We need things like a holistic review of manuals to focus on simplicity and affordability. I was surprised to learn there was no review in the manuals all, they're not reviewed. Please consider this in your budgetary debate. Thank you very much.

>> Mayor Adler: Thank you. Felicia foster and Jeffrey tawala on deck, then Monica Guzman.

>> Good evening. I'm Felicia foster, I'm a native austinite. I'm a building designer with over 350 years of experience in the build environment. Part of my job is to shepherd people through the process. And it's pretty complex, building and designing in the city of Austin. Over the years we've developed our internal checklist of over 60 points so when somebody calls and asks what they can build on their lot, we kind of go down our checklist. Once we determine that, we start talking to them about what it's actually going to cost the build in the city. Who is my client? My client is the young couple starting out, looking for a small Adu, the widow, fighting displacement to stay in here house she's been in for 50 years, she's? Desperate need of rental income to pay her taxes, the retired couple looking to build on the lot they've owned since they first came here to college in the early 80s, it's the remodel client who wants to add on space for an aging parent caretaker for their special needs child, and the builder hoping to make enough on a spec project not only to fund his next project but to put food on the table.

[9:54:06 PM]

These are real people affected by every single fee, every ordinance, every interpretation. The constant feeling that the city is against them. Last year for a single Adu, fees paid to the city increased 310%. And the proposed fees this year will put it at 370% increase over 2017. Keep in mind that's for a structure below 1100 square feet. This is not a mcmansion. Why? It's moving to cost of service. How is that calculated? The fees are calculated by auditing the departments, not by actually project tracking through the departments, they need accountability. They need a process. How does it compare with other cities? As David said, 2017-2018, Dallas did four times the permits we did with half the budget, and they're enterprise. So it can be done. The efficiency needs to be there. The fees are too high. There's a misconception that the builder will pay for it. But I argue that that is the homeowner that's paying for those fees. They're the ones that are paying for every single fee put through from a developer, from a builder, it's -- ultimately it's the homeowner. It's your citizens. The city has a responsibility. The burden of improving our failing and outdated infrastructure is being passed on to the homeowner as well, like Scott said. Decreasing fees discourage small projects and encourage larger projects with higher ma'am. What about imagine Austin? Where are we at? Affordability. The average family in Austin makes \$52,000 a year. What does that get you? That will qualify them for a house for 204,000. The average price for a home in Austin is 400,000. That will buy you 784 square feet in east Austin on a noncomming lot.

[Buzzer sounding]

>> Flannigan: Mayor?

>> Mayor Adler: Yes, Mr. Flannigan.

>> Flannigan: You live in district 6; is that right?

[9:56:08 PM]

>> I do.

>> Flannigan: I want to thank you. You win the award. You're the only district 6 citizen to speak. I want to thank you for that.

>> I want to close and say thank you very much. The ball is in your court.

>> Mayor Adler: Thank you. After Mr. Tawala, is Alison Mcghee here? No? What about Catherine Abercrombie? Come to this podium. Is Ryan Nill here? Come on down too. You have time donated from Gatlin Johnson. Is he here? Okay. You'll have then two minutes. Mr. Nill. Is Joey Jensen here? Have we already had Joey talk? Okay. Is Caitlin McClune here? Okay. So you'll have two minutes then. Mr. Tawala, you have three minutes.

>> Thank you, mayor, mayor pro tem and members of council. I'm Jeffrey Tawala, here on behalf of the real estate council of Austin. We're to provide support for certain items but we also want to express our concern about the overall development process. I'd first like to acknowledge the process we engaged in over the last year with Mr. Gonzalez and his team has been very transparent and we sincerely appreciate the cooperative approach that they took. Overall, we believe the DSD continues to make great strides and effort in improving the development process, and we feel that they will continue to bring more efficiencies for everyone, which is why we stand in support of Rodney's entire request for additional staff. However, what I really want to highlight today is that while we feel confident in Rodney and his team to continue to improve, we cannot say the same for the 12 departments that had refused inspection authority in the development process. Take a look at the giant spreadsheet behind me. There's a larger issue here and this just gives you a visual example of how complicated the development process is in our city.

[9:58:13 PM]

When it's all said and done the development process includes a total of 13 departments with more than 400 employees. How can anything move forward efficiently when there are this many eyes and hands on it? Every city department has issues that need to be addressed, but the three we hear about consistently from our members in the industry are Austin Energy, Austin Water Utility and the Austin Transportation Department. Those are the first places improvement should be made immediately and it's also important to note that over the last three years, fees across the board have come up, and yet the overall development process has not gotten better. In fact, in many instances, the process has become less predictable, more complicated, and more costly. We believe that there are many

opportunities to improve across all departments and would make the following recommendations. Instituting a process efficiency review similar to what dsd performed this past year across all departments. There should also be a consistent and holistic approach for evaluating every criteria manual the city uses, and part of that process should be a goal for simplifying each manual, its interpretations, as well as removing many of the inconsistencies or conflicts within the criteria manuals. Costs, both consumers and applicants should also be taken into consideration. There should also be a policy whereby dsd and other departments provide a fee impact statement, which was mentioned earlier. And we'd also like to have other departments held accountable to specific review times and reductions in those times, which they must all abide by. And lastly, we also would ask the council to direct Rodney to do an incremental stepup in fees related to the data error in 2017 permit count and to find the funds within his budget which has also been mentioned earlier. We believe that by taking these steps we can all work together to improve the deficiency and better the process of the process for everyone. Thank you.

>> Mayor Adler: Thank you. Monica Guzman.

>> Excuse me.

[10:00:16 PM]

Thank you. Monica Guzman, district 4 resident and chair for rundberg. I want to thank council again and city manager cronk for taking the time to meet with us in our request for support for the restore rundberg initiative. I wanted to bring to your attention, I know in the fiscal year '19 proposed budget that's 300 plus pages, at the bottom of page 133 it mentions placing that position in parks & recreation. Actually, the hispanic/latino quality of life commission reached out to us to make sure that's where we wanted it, and we changed that. We are asking that when you approve that position, that it be placed with communications and public information office, specifically the community engagement division. It makes sense. It's a community engagement position. Cpio is community engagement division. It has the history with the initiative. I think they still have their little green button on there.

[Buzzer sounding]

>> Sorry. I didn't realize how fast my time was going. One quick thing if I may, when this position comes through, it will be able to leverage funds of other investments from outside the city that are happening, from the Michael Susan del foundation and gave.

>> Mayor Adler: Thank you very much, Ms. Gustman. Is Catherine Abercrombie? Come on up to this podium. Is Jeanine gerrick? What about Cathy Mitchell? Cathy has time donated from Paulo Connelly. Is he here? Thank you, sir. And Laura granfortuna. Ms. Mitchell, you'll have three minutes.

>> Excuse me, mayor, may I make a motion to go past 10 o'clock?

[10:02:18 PM]

>> Mayor Adler: One second.

>> Alter: May I make a motion to go past 10 o'clock since we're not making a decision?

>> Mayor Adler: Councilmember alter moves to go past 10 o'clock. Is there a second to that motion? Councilmember kitchen seconds that. Any objection to going past 10 o'clock? Hearing none, we'll go past 10:00. Whoo. Go ahead.

>> Good evening, city council. And mayor Adler, thank you so much for the opportunity to testify. My name is Catherine Abercrombie. I live in district 5 and I am a volunteer with the American heart association. I want to thank the city manager and quality of life commissions for their work contributing to the proposed budget increase for Austin public health to improve health equity and health equity access to care for communities that have historically faced high barriers to care and disproportionate rates of chronic disease. Race, socioeconomic status, and zip code continue to be the greatest predictors of health outcomes, rates of chronic disease, and live expectancy in our city. In keeping with Austin's push for racial equity, this funding and programming would be a productive step forward. I've seen firsthand how important access to care is for underserved populations through my work in Austin's health and human services nonprofit field. Finally, these budget recommendations are directly in line with Austin's strategic plan. I urge you to support this new funding for health equity access --

[buzzer sounding]

-- And the care initiatives at the level proposed by the city manager. Thank you for this opportunity to testify. Have a good night.

>> Mayor Adler: Thank you. Mr. Nill and then Joey jetsek. Is he here? You'll be up next, then after you will be Catherine -- Cathy Mitchell.

>> Oh.

>> She's going to come just before you. Go ahead, sir.

[10:04:19 PM]

>> Hello, councilmembers, mayor pro tem tovo and mayor Adler, I'm Ryan nill. I'm on the Austin cooperative business association. I've heard that budget is the sincerest form of rest Rick, so I hope ever -- of rhetoric so I hope you'll include in the budget the economic development department's recommendation to fund technical assistance for cooperatives to the amount of \$75,000. That amount includes \$50,000 to hire a consultant to provide the training, assistance, and outreach to cooperatives. Includes \$5,000 to develop an online how-to guide on worker coupe version as a succession plan to business owners that are seeking to sell their business and retire, and to spend a \$20,000 to provide that technical assistance to those owners that are engaged in a worker co-op succession plan. These staff recommendations are in response to a council resolution passed in March of 2017 explicitly asking staff forever recommendations of this sort. Many other cities promote worker co-ops. Those cities include

New York, Oakland, Burlington, Denver, Cleveland. They also found there are many ways worker co-ops can strengthen the city. They include creating living wage jobs with profit sharing. For example, they found a housecleaning co-op in which workers' income raised from 24,000 to \$40,000 a year. They found that counties with small locally owned businesses like cooperatives have a greater per capita income growth. They found co-ops encourage community problem-solving around entrepreneurial opportunities and that businesses that are -- they are less likely to leave the state because of their deep ties to their communities. So I hope that you will include this \$75,000 recommendation from the economic development department in your budget. Thank you.

[10:06:20 PM]

>> Mayor Adler: Thank you. Ms. Mitchell you'll be at this podium. Go ahead, please. You have two minutes.

>> Okay. Thanks. Good evening, mayor Adler and councilmembers, thank you for the opportunity to be here today and thank you for your vote earlier on chapter 380. I really appreciate that. My name is Joey and I'm here as a proud member of the Austin justice coalition. Tonight we are discussing the budget and I'm here to ask -- I'm here to speak about a few things. First I'd like you to think about your favorite food. It could be anything because we're lucky to have so many restaurants in Austin. Now think about food safety inspections. How confident would you feel eating food in an establishment that inspected itself? Luckily, the city doesn't allow that and has assigned this and you will important service to Austin public health. This year they have performed 4,000 restaurant inspections and I'm sure we all -- we're all much better off for it. As food poisoning is pretty serious. I appreciate that council and mayor Adler care about our physical well-being as austinites, enough to both fund and require inspections from a department independent from the restaurants themselves, but there are other kinds of physical well-being that are just as important and I can't help but wonder why there's why does only one kind of well-being matter? I'm here to ask council the consider other kinds of well-being and think more holistically when making decisions about the budget. You've heard residents tell you they don't feel safe with and lack confidence in our police. If any folks experienced abuse and treatment from police, how confident are you they will feel safe enough to report it to current sources gathering that information? I don't know about y'all but I'm not that confident. I propose that council set aside funding for the creation of a trust community group that can accept complaints of police abuse and a community group that is trusted to conduct fair investigations actually in the pursuit of real justice. Just as you feel better eating food thanks to independent restaurant inspections, residents of Austin will feel less hesitant to report police abuse and more confident they will receive justice if their case is investigated by a trusted community group, one independent from the current department's task to do this.

[10:08:34 PM]

Thank you.

>> Mayor Adler: Thank you very much. After Ms. Mitchell speaks, is David Johnson here? What about Kate Graziani? What about Madeline dellick? What about mark Mckim? Tim art? Chris Harris?

>> Just stepped out.

>> Mayor Adler: Okay. When he comes back in tell him to walk on down. Is Julian Reyes here? Okay. Why don't you come on down to this podium. Is Janice Bookout here? Come on down too. Ms. Mitchell, you have three minutes.

>> I'm here today to talk about a different one of the Austin justice coalition's budget priorities. Today we call on the city to fund and launch a public review process this year that will answer the larger questions that arose in Austin's DNA lab employed. How do we ensure that scientific results are not tainted by a too-close relationship with the police officers and investigators who have identified a suspect? How do our labs adjust and approve their procedures and statistical applications as the science improves? The memo you received this month from councilmember Arellano addressed only DNA. The public process you created last year addressed only DNA. Meanwhile, the other labs and technicians have, as far as most of us can tell, continued to work under essentially the old system. The issues that plagued Austin's DNA lab are not unique to DNA. In Texas, our forensic science commission has taken up forensic practices one after another and started to evaluate whether they should be brought into the courtroom at all, and if so, what kind of probability framework should be applied to explain to a jury what can actually said with any validity about that evidence.

[10:10:46 PM]

For example, Steven mark Cheney was exonerated after 25 years in the Texas prison. He was freed in 2015 because the bite mark evidence that had convicted him was discredited. In 2016 the commission recommended a moratorium on the use of bite mark evidence. Did Austin stop using bite mark evidence? If not, why not? How are we using it? Courts continue to admit bite mark evidence long after it had been discredited. Most of the legal action is around post- -- is in the post-conviction arena. We need to know that our science is good from the get-go. The stakes are too high. In July of this year the forensic science commission noted that the use of blood spatter evidence in a particular case was not accurate or scientifically supported, opening a new line of questioning around yet another type of forensic analysis. Texas has not yet discredited forensic hypnosis, but that is likely coming. Ballistic evidence may well survive the revolution in forensic science, but what an expert can or should say about it is changing. What are Austin's scientists saying? Are there statements informed by the scientific revolution in their discipline? Do they understand the math? And I don't mean that in an insulting way. I mean that in a way, after we had the DNA lab implode, part of what we learned from the review process we've gone through is that the people standing up and testifying as to that evidence didn't understand the math.

[Buzzer sounding]

>> Was that really three snippets.

>> Mayor Adler: It really was.

>> Okay. -- three minutes?

>> Mayor Adler: It was.

>> I'll skip to the end.

[10:12:47 PM]

We're asking for you to fund a 12-month review that establishes whether we should have an independent crime lab. That's soft, you know, visionary solution to a lot of this, and also to assess each of the forensic disciplines that we currently have, whether they're -- whether they're up to snuff, and I would personally say that you're likely to get a very good report on the DNA audit, and that may be a good place to start.

>> Mayor Adler: Thank you very much. Okay. You have time donated from two people, Olivia Ott, thank you, and Kerry Roberts. Is Kerry Roberts here?

>> Yes, sir.

>> Mayor Adler: Okay. You'll have three minutes, Mr. Harris.

>> Thank you. Am my name is Chris Harris, with district 1. Thanks for staying up late with us. I'm here to speak in favor of investment in four different things. One, \$125,000 to match the county's investment in the 24-hour walk-in center for people needing substance abuse treatment, detox, and connection with associated services is not associated with police interaction. And this would be regardless of income or insurance. Okay? One million dollars for a mental health first response program that limits police involvement to the maximum extent possible for mental health related cause. That includes both people in the field as well as people at the 911 and dispatch centers. \$500,000 for expanded and strengthened police oversight, transparency, and accountability efforts which our group is currently working on, and two additional victim services personnel from the proposed budget, preferably eventually housed outside of the police department. All of these represent either viable alternatives to police for people currently criminalized to no one's benefit and ensure Austin residents are not victimized or traumatized by their interactions with police. Therefore, I believe that the money for these services should ultimately come from money currently allocated to the police department and/or the police union contract negotiations.

[10:14:48 PM]

In addition, as of August 8th, there were 51.8 fte positions at A.P.D. That had been open for an average of over five months, representing over \$1.6 million in unspent funds from fy 2018, which we highly consider utilizing. Austin has remained among the safest cities despite growth in huge population. Crime rates should fall overall, 27% murder rate. Earlier this year the county tried to kick-start a process seen almost \$100 million in a new bigger women's jail. They did this -- this increase, which has since been

reversed, was based largely on two things. There's a few things, but two of them were the crime of possessing less than one gram of a controlled substance and an increase in women arrestees with a mental health diagnosis. Are these the issues hurting our community? Is this why we need more police and more jails? What about the growing number of people experiencing homelessness? Can we police our way out of that? We could see the numbers for both homelessness and the police rise in concert, in perpetuity, one justifying the other and having no impact. More police and bigger and bigger jails don't solve problems in our community. Sometimes they create them, but most often they simply bury them. Politically understand, this is very tempting, but to dismantle the system of mass incarceration, accurately called the new Jim crow, we need you all to continue to show leadership.

[Buzzer sounding] And in this context, that means contributing money that's for alternatives to policing and continuing to limit the scope of policing, long-term.

>> Mayor Adler: Thank you.

>> Thank you.

[10:16:49 PM]

>> Mayor Adler: Reyes, come on up. Janice, stand up. You each have one minute. Chao Paulo Connelly, I don't think was here. Craig Parker I don't think was here. Kent coupe? Is Kent coop here? What about Tyler Mitchell? What aboutanchineta ayete, come on down too. Then latrese cook, is latrese cook here? You'll be coming up too. Go ahead, sir. You have one minute.

>> Hi, y'all. I'm Julian Reyes, from the challenger street newspaper. I want to say a few things. A.P.D. And the Apa police union are not transparent. They are refusing to release their tax records and their 501(c)(3) Corporation. That's against the law. They're criminal. I'd like to ask Justin berry there but he's filming me, good times filming. A.P.D. Is way overpaid, 400 to \$500 million in wasted budget. As you can see on your screen here, this is just a Saturday night where 10-20 police officers surround a single individual, it's noncom combatant to arrest him, really jumpy, letting cars run, wasting a huge amount of gas money. When they come to my work at magnolia cafe, they run their car an hour and a half while they feed their faces and it's creating greenhouse gases. I'm an environmental scientist, we're supposed to care about the smog in this town. It's a waste of money.

[Buzzer sounding] Is a is that my minute?

>> Mayor Adler: That's your minute.

>> I'll email you the rest.

>> Hi. I'm a mother and 25-year resident of district 1 since I moved with my musician husband in 1994.

>> Mayor Adler: And your name is Janice --

[10:18:49 PM]

>> Janice. Sorry. I'm a member of the environmental community and avid supporter of the social justice and environmental justice communities here in Austin. I wanted to make it clear that I'm advocating on behalf of the recommendations set forth by the Austin climate mobilization group and Austin justice coalition and communities of color and undoing white supremacy, specifically but not limited to funding the equity office rather than expanding the -- expanding the police budget, directing those funds to much needed programs, to evaluate what types of businesses are recruited to Austin and how those resources can be used equitably and sustainably for our major developments. Recycling in all Austin parks, funding the retirement of the Fayette plant and then also investing in energy and solar for multiand low income families, also the other recommendations as well. Thank you.

[Buzzer sounding]

>> Mayor Adler: Thank you very much. State your name, please. You have one minute.

>> Thank you so much for this opportunity. My name is [indiscernible] And I have spoken to this panel before, so this is just an additional group that I'm very supportive of and I wanted to read something to you guys. In John 15 -- chapter 15, 13 to 15, it says greater love has no one than this to lay one's life for one's friend. Imagine south by southwest without police presence. Imagine Austin traffic without police presence. Imagine the Austin bomber without police presence. Imagine 6th street without police present. Imagine courtrooms, jails, airports, without police presence. Imagine Ms 13 without police presence. Imagine the Mexican cartel without police presence. Besides the military, no other one in our society puts lives on the line and run towards danger when others are fleeing from it.

[10:20:52 PM]

I cannot put price on their lives. I want them well provided and not have to work two jobs to have to provide for their families.

[Buzzer sounding] I don't want them exhausted working multiple shifts because of shortage of officers to a point where they make mistakes. They have been --

>> Mayor Adler: Thank you.

>> Let me finish, please. They have seen the best of people and the worst of societies and still fulfill their duties. They are plagued with depression, PTSD, and suicide rate is at its highest among police officers. All this protecting the city.

>> Mayor Adler: Thank you very much.

>> Thank you. I appreciate it.

>> Mayor Adler: Ms. Cook, you're up next. Is Vera here? Come on down. You'll have one minute. Is Chivas Watson here? You'll be up next. You have time donated from Rachel Zuniga and you have time donated from Susan Lipman. Okay. So Mr. Watson, you'll have three minutes. Go ahead, Ms. Cook.

>> So first before -- I hope you all aren't counting my time right now. I feel like I should be given five extra minutes since I have to drive to east Texas in the morning and take -- transport a family member whose person is getting out of prison, and so I should get some time for that. I'd also like to thank Ora Houston for your service and also thank you for being the person when you came on and told to the chronicle that you wanted to see million center -- you wanted to see us funded and you worked towards that, and I really appreciate you for that. I wanted to just say this because as I sat there, I had prepared some notes and all like this, and I am the founder and executive director for millions center and we work with people that have previously been incarcerated and their families. We're the only entity in Austin that provides resources, not advocacy, for people that have gone to prison and their families. There's nothing really indicative in this budget that speaks towards funding this organization and this type of work totally, and there's a need for people who have gone to prison to be provided services outside of a job.

[10:23:05 PM]

Because what do you tell a man who has been in prison for 31 years who comes home trying to get hisself together? Do you tell him, let me take you to workforce development? That doesn't mean anything to someone like that.

[Buzzer sounding] And -- my minute's over. But I just want to say this and I will take my seat. I'm asking for the city to try to fund our organization and our work, and I want to say this as I take my seat. You know, everybody keeps talking about diversity. And you know if we would just stop doing things against people of color, if we would just stop it, individually take a step and look at you, and if we would stop the behavior --

>> Mayor Adler: Thank you.

>> -- Of being discriminate independently, we would see an immediate change. It starts with you.

>> Mayor Adler: Thank you very much. Vera masara is up next.

>> Good evening, mayor and council members. I hope I'm still coherent because this is way past my bedtime. Anyway, thank you for being up there. I'm specifically here to talk about the increases from the desire development services and respectfully request that prior to adoption, that somebody take a piece of paper and pen and outline the increases specifically for subdivision from beginning to end, including construction, inspection fees, including Austin energy fees which over the last three years have gone up to about \$5,000 a lot. That's for a standard 50-foot-wide lot. We primarily -- I live in district 7. I work for a development company. We primarily develop in the del valle school district in eastern Travis county, but large project in south another one Travis county. Those, as you all know, have been starter homes.

[10:25:06 PM]

Those homes are questionable as to whether those are starter homes anymore. The price ranges that our builders are out there currently -- and I looked at this right before I came up here -- they range from 195,000 up to 300,000. Buzz buds years ago, a \$300,000 home was not affordable, but that's where we are today. So I respectfully request an analysis of staffer. Thank you.

>> Mayor Adler: Is Christina Mohammed here? Okay. So you'll be up. You have time donated from Ayana ransom. Thank you. And from Reginald Mohammed. So you have three minutes at this podium. Mr. Watson, you have three minutes.

>> I should have four. I just had another minute donated.

>> Mayor Adler: The maximum that you can have is two donated people, so you have three minutes.

>> Let's try to get it all in, okay, you guys know me. I stand in solidarity with the disadvantaged and displaced residents of districts 1, 2, 3, 4, 7, and also the directly affected residents throughout the city of Austin. As an organizer within the poor people's campaign I support the idea of people's antidisplacement budget, also the funding of recovery and re-entry efforts for the formerly incarcerated residents like myself. 770% on public safety, 40% A.P.D., more offices in 2019 that sounds like Chinese arithmetic. After 3,000 hours of community canvassing engagement, I found between 40-60% of austinites do not feel safe in the aforementioned districts, from the bearers of A.P.D. And discretionary arrests, lack of enforcement in fair chance hiring, as well as more Irving experiences. If more money means less crime and resistance, it sounds incredibly to believe -- you keep looking at me -- we being the people, we the people understand that with more privileges often more cause for care.

[10:27:08 PM]

We the people exist in trying to repair our homes, vitality, livelihoods, we continue to be denied affordable housing, safer community standards and responsible priorities such as the establishing of community policing, community land trust and community engagement by tough equity office and our demand for justice in the city of Austin, funds reflect throughout the people's plan. We heard manually back in April loud and clear, his department in order to repair community relationships needed to learn lived experiences. He didn't say at the time, under the pressure I might add, more money and better salaries. I challenge that, given the fact that he's never repaired the communities that [indiscernible] David roach or David Joseph and Nathaniel Sanders. Nathaniel's family with 750,000 settlement in change for his life could use 33 officers' salaries. In district 9 they also don't say police need more money. Let's continue -- trend in Austin thinking about people over private concerns. Thank you district 1 thank you. Ms. Mohammed, you have three minutes.

>> Thank you for hearing us out. I'm coordinator with the 10,000 first responders so this is the team behind me here. So first of all, I'd like to ask the question, is it justice or just us? That's the question that I have today. And what we're here to speak about today is what we do as far as the 10,000 first responders here in the city of Austin, Texas. Our mission is to keep our community a safe and decent place to live. The first we'll talk about is keeping our people safe, keeping our community safe, and as you heard, those that come to us before, they talked about our communities don't feel safe. Well, what

does the community look like when you're not safe? So we have two different things that's taking place here. The community don't feel safe, and guess what believe it or not, the police officers don't feel safe. You have two people that are walking off the edge, and they're pushing off the edge because their fearful of each other.

[10:29:12 PM]

You have the community that's moving and afraid when the police come to them and the police are afraid and got their hands on the trigger because they're looking at the people and wondering -- both of them are wondering who's going to jump first, who comes in between that, who's the peace, who's the problem solver? So every problem there is a equal solution. I'm asking, we are that solution. What we do, we go out to communities and we teach and train our people. We get the calls. My phone rings every day, all day long, asking for our team, someone to be sent out from our team for domestic violence, someone to be sent out because they're afraid to call the police because they're afraid they're going to be tased, afraid they're going to be shot. When is it going to end? There has to be someone come in between and that someone is us. So I'm asking you all to look into an alternative, someone that can be in the midst, work, what we're already doing. When it comes to different events, we're there. Jump on it, event, any type of event that take place in the city of Austin, we are the team that gets called in to make sure that we make sure that our people are safe in the community. So what we're asking for now is Austin to recognize that something has to be done and it has to be done now. How many of our people have to be shot and killed and tasered before we realized there are solutions? So I'm asking for us to look at those solutions, I'm asking us to sit down, realistically, and let's write out something where we can actually go in and help those because we have to be honest with ourselves. Police officers are tired. They are depressed. They have a whole bunch of work. What would that look like if you had a team that can come in and take care of those small, minor, domestic calls, and let the police officers do what they have to do? There are bigger and better things for them to do. We get called right now for domestic violence. Walnut creek apartments is who we've adopted. We get those calls to come out, please, could you come out, we have such and such arguing and fighting.

[10:31:16 PM]

We send an officer out. You're looking at probably half the team of the 10,000 fearless. So I pray that this communication that we're having today, that we can set up some type of solution and put us to work in the 10,000 fearless first responders because we love our people in Austin, Texas and we want to help. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Has anybody signed up to speak at this public hearing that I have not called? I want to thank everybody for coming down. That concludes the public comment portion of the budget hearing, item 50. We're going to vote to adopt the budget for 2018-19 on September 11th, 2018. If we don't adopt the budget on September 11th, we'll continue the hearing till September 12th and/or 13th. The meetings will be here at city hall, 301 west second street, Austin, Texas, and will begin at 10 o'clock A.M. Is there a motion to close the public comment portion of the hearing and schedule adoption of the budget for September 11th, 2018, to be continued to September 12th and September 13th if necessary? Councilmember Flannigan makes that motion. Is there a second to that motion? Ms. Houston seconds that motion. Those in favor, please raise your hands. Those opposed? It's unanimous on the dais with councilmember Garza off. Any more comment on the dais? Yes, councilmember alter.

>> Alter: I just -- I would add both the budget and the rate.

>> Mayor Adler: We do got that? So is there a motion on item 51 to close the second and final public hearing on the city's proposed maximum property tax rate? Councilmember alter makes that motion. Is there a second? Councilmember Flannigan seconds that. Let's take a vote. Those in favor of closing the public hearing as moved, please raise your hands. Opposed? It's unanimous on the dais with councilmember Garza off.

[10:33:17 PM]

The final public hearing on the proposed maximum tax rate is closed. So council will vote to adopt the actual property tax rate for 2018-19 on September 11th, 2018, at 10:00 A.M. In these council chambers, 301 west second street, Austin, Texas. The vote will take place after council adopts the budget, and the hearing may be continued to September 12th and 13th if it was needed. I think that's all the business we had tonight. It's 10:33, and this meeting is adjourned.